

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

8 JUL 24 P6:23

SENATE
S. No. 2478



RECEIVED BY:

INTRODUCED BY THE HONORABLE MAR ROXAS

EXPLANATORY NOTE

Foreign policy is the projection of our national policy into the world arena. We define our foreign policy interests in terms of protecting our national goals and aspiration in the community of nations. However, the changing times have made international relations a very complex arena.

The core of our country's foreign policy is in the areas of national security, economic diplomacy and the promotion of the welfare of overseas Filipino workers, which play crucial roles in the continued peace and prosperity of the country. However, recent international developments, particularly those in the regions, underscore the reality of globalization and the vital importance of effective management of the country's external relations. Thus, we have to respond to a host of international and global issues while ensuring that our national interests are protected and our agenda promoted.

In 1959, Congress sought to professionalize the diplomatic service by passing Republic Act No. 708. Subsequently, to further professionalize the diplomatic service, Congress passed Republic Act No. 7157 or the "Foreign Service Act of 1991." As foreign relations is a dynamic system that must respond to the needs of the changing times, it is only but appropriate that the law should further undergo a continuing process of modification.

As stated by the late Foreign Secretary Blas Ople: "Professionalism is the essence of a world-class foreign service and this description applies to all those appointed to all the posts in our foreign service regardless of whether they are considered career or political, and to all the thousands of personnel that belong to the support staffs in both the home office and the foreign posts of the Department." Accordingly, this bill proposes omnibus amendments to RA 7157 to further professionalize and strengthen the career character of the diplomatic service by ensuring that only the most talented and most qualified are recruited to serve. The amendments will codify packages of benefits so that the diplomatic service will attract not just the best and the brightest, but also the most dedicated nationalist of the country. The proposed amendments will also provide for the *reorganization of the structures of the Department of Foreign Affairs to enable it to meet the difficult and complex assignments of conducting foreign relations.* Amendments also include provisions that would ensure assistance to Filipino Overseas Foreign Workers, documented or otherwise, from dedicated personnel and officers of the Department both here and abroad.

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

MAR ROXAS
Senator

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AN ACT
REORGANIZING AND MODERNIZING THE PHILIPPINE FOREIGN SERVICE,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7157, OTHERWISE KNOWN AS
THE "PHILIPPINE FOREIGN SERVICE ACT OF 1991," PROVIDING THE NECESSARY
FUNDS THEREFOR, AND FOR OTHER PURPOSES.

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

1 SECTION 1. This Act shall be referred to as the "Revised Philippine Foreign Service
2 Act of 1991."

3 SEC. 2. Section 4 (a) and the last paragraph of the "Philippine Foreign Services Act of
4 1991" is hereby amended to read as follows:

5 Sec. 4. Objective. - The main objective of this Act is to reorganize and
6 strengthen the Philippine Foreign Service in order to:

7 (a) Upgrade the qualification of the Career Foreign Service Corps AND
8 THEIR STATUS AS CAREER EXECUTIVE SERVICE OFFICERS, and thereby
9 enable its officers and employment to serve effectively the interests of the
10 Republic of the Philippines abroad;

11 (b) X X X

12 (c) X X X

13 (d) X X X

14 (e) X X X

15 (f) X X X

(g) X X X

(h) X X X

(i) X X X

In pursuance of the foregoing objective, the principle of nondiscrimination with respect to sex, creed, language, AND ethnic [identity] ORIGINS [and religion] shall be strictly enforced.

Sec. 3. Section 5 (m) of the same Act is amended to read as follows:

Sec. 5. Definition of Terms. - When used in this Act, the term:

(a) X X X

(b) X X X

(c) X X X

(d) X X X

(e) X X X

(f) X X X

(g) X X X

(h) X X X

(i) X X X

(j) X X X

(k) X X X

(l) X X X

(m) "Principal Office" – means the head of a consulate or consulate general AND SUCH OTHER OFFICES, BRANCH OR EXTENSION OFFICES OF THE DEPARTMENT OR EMBASSY of the Philippines.

Sec. 4. Section 6 of the same Act is amended to read as follows:

1 Sec. 6. Undersecretaries. - Upon recommendation of the Secretary, the
2 President shall appoint [~~three (3)~~] FOUR (4) undersecretaries to advise and
3 assist the Secretary in the formulation and implementation of the Department
4 objectives and policies, and to coordinate and oversee the operational activities
5 of the Department of Foreign Affairs.

6 The Secretary shall designate one (1) of the undersecretaries TO SERVE
7 AS THE ACTING SECRETARY in his absence.

8 SEC. 5. Section 8 of the same Act is amended to read as follows:

9 Sec. 8. Designation of Foreign Officers in the Foreign Service. - In the
10 Service, foreign, service officers shall be commissioned as diplomatic or
11 consular officers, or both, and all the official acts of these officers shall be
12 performed under such commissions. Diplomatic and consular titles shall be
13 coterminous with the assignment at the Post.

14 A chief of mission shall be assigned as ambassador extraordinary and
15 plenipotentiary to head a diplomatic mission, or as deputy head of mission or
16 as consul to head a consular [~~establishment~~] POST.

17 A career minister shall be assigned as [~~career minister~~] MINISTER,
18 MINISTER-COUNSELOR OR COUNSELOR in a diplomatic mission or as
19 consul general to head a consular [~~establishment~~] POST.

20 A foreign service officer, class I, shall be assigned as first secretary
21 mission or consular in a consular [~~establishment~~] POST.

22 A foreign service officer, class II, shall be assigned as second secretary
23 in a diplomatic mission or consul in a consular [~~establishment~~] POST.

24 A foreign service officer, class III, shall be assigned as third secretary in
25 a diplomatic mission or vice-consul in a consular [~~establishment~~] POST.

1 [A foreign service officer, class IV, shall be assigned as third secretary
2 in a diplomatic mission or vice-consul in a consular establishment.]

3 A FOREIGN SERVICE OFFICER, CLASS IV, WHO HAS COMPLETED
4 THE CADETSHIP PROGRAM AND THE MINIMUM THREE (3) YEARS OF
5 HOME OFFICE SERVICE MAY BE ASSIGNED AS THIRD SECRETARY IN A
6 DIPLOMATIC MISSION OR VICE-CONSUL IN A CONSULAR POST.

7 In a diplomatic post where there is a consular section, foreign service
8 officers may be designated as both diplomatic and consular officers. SENIOR
9 FOREIGN SERVICE STAFF OFFICERS (FSSO), CLASS I, MAY BE GIVEN A
10 BREVET RANK AND DESIGNATION OF VICE-CONSUL IN CONSULAR
11 POST AND SHALL RECEIVE THE PAY AND ALLOWANCES OF THE FSSO
12 RANK: *PROVIDED*, THAT A SENIOR FOREIGN SERVICE STAFF OFFICER
13 SO DESIGNATED HAS PREVIOUSLY PERFORMED CONSULAR WORK
14 AND HAS SERVED IN THE DEPARTMENT FOR AT LEAST TWELVE (12)
15 YEARS OF UNINTERRUPTED SERVICE: *PROVIDED, FURTHER*, THAT
16 THE RANK AND TITLE OF FSSO SHALL BE COTERMINOUS WITH THE
17 FOREIGN ASSIGNMENT.

18 A PERSONNEL APPOINTED IN ANY CAPACITY IN THE
19 DEPARTMENT, BUT NOT TO A POSITION DEFINED UNDER SEC. 7 OF
20 THIS ACT, SHALL NOT BE GIVEN RANKS OR DESIGNATION SIMILAR
21 TO THE CATEGORIES IN THAT SECTION, SHALL NOT BE QUALIFIED
22 FOR FOREIGN ASSIGNMENT AND SHALL SERVE IN THE HOME OFFICE,
23 AND HIS/HER TERM SHALL BE COTERMINOUS WITH THE SECRETARY.

24 SEC. 6. Section 9 of the same Act is amended to read as follows:

1 Sec. 9. Designation of Foreign Service Officers in the Home Office. – A
2 chief of mission shall be designated by the Secretary as assistant secretary
3 when assigned to head any of the [eleven (11)] FIFTEEN (15) principal offices
4 of the Department. These offices are: Office of American Affairs; Office of
5 Asia and Pacific Affairs; Office of European Affairs; Office of Middle East and
6 African Affairs; Office of [Administration, Protocol and] Personnel AND
7 ADMINISTRATIVE Services; Office Fiscal Management; Office of ASEAN
8 Affairs; Office of United Nations and International Organizations AFFAIRS;
9 Office of Consular Affairs; Office of Legal Affairs; [and] Office of Policy
10 Planning; OFFICE OF PROTOCOL, OFFICE OF INSPECTOR GENERAL,
11 OFFICE OF PUBLIC AFFAIRS, AND OFFICE OF MIGRANT AFFAIRS
12 WORKERS.

13 [The Director of the Foreign Service Institute shall also have the title of
14 assistant secretary.] THE HEAD OF THE FOREIGN SERVICE INSTITUTE
15 SHALL ALSO HAVE THE TITLE OF DIRECTOR-GENERAL AND THE
16 EQUIVALENT RANK OF ASSISTANT SECRETARY

17 Chief of mission designated as assistance secretaries shall retain their
18 items as chiefs of mission. The post of assistance secretary shall be reserved for
19 career chiefs of mission[:]. [Provided, however, That all incumbent assistant
20 secretaries who are non-career officials shall continue to hold office until June
21 30, 1992 unless sooner removed by the President. Thereafter, only officials
22 may be appointed assistant secretaries]

23 *A career minister may be designated as executive director of an office.*

24 A foreign service officer, class I, may be designated as division director.

1 A foreign service officer, class II, may be designated as assistant division
2 director

3 A foreign service officer, class III, may be designated as assistant
4 division director.

5 A foreign service officer, class IV, may be designated as assistant
6 division director.

7 A foreign service officer in any class, including chiefs of mission and
8 career ministers, may be designated as special assistant to the Secretary of the
9 Undersecretary.

10 A foreign service officer below the rank of chief of mission may be
11 designated as principal assistant in any office.

12 Any assignment in the home office requiring a rank higher than the
13 actual rank of the officer assigned shall be in an acting capacity.

14 Sec. 7. Section 14 of the same Act is amended to read as follows:

15 Sec. 14. Initial Appointment of Foreign Officers. - Consistent with
16 the goal of developing and strengthening the Career Foreign Service Corps,
17 recruitment into the ranks of foreign service officers shall be exclusively
18 through open competitive examinations to determine the competence, fitness
19 and aptitude of candidates for foreign service work. No person shall be eligible
20 for appointment as a foreign service officer unless he passed these
21 examinations and demonstrated his loyalty to the republic of the Philippines
22 and adheres to the principles of the Constitution. The President shall extend
23 initial appointments of foreign service officers exclusively from the list
24 submitted by the Secretary containing the names of those who passed the
25 examinations. Such initial appointments shall be to the lowest rank of foreign

1 service officer, class IV. Any person who, after having passed the
2 examinations, declines to accept an initial appointment as foreign service
3 officer within a period of [one (1)] TWO (2) YEARS from the date he was
4 offered the appointment shall be required to take and pass the examinations
5 again in order to be eligible for an initial appointment.

6 SEC. 8. Section 15 of the same Acts is hereby amended to read as follows:

7 Sec. 15 Internship Program. - [Immediately following their
8 appointments as foreign service officers, class IV, the individuals concerned
9 shall undergo a one-year cadetship. The program shall consist of six (6) month
10 intensive classroom instructions on all aspects of consular and diplomatic
11 duties and responsibilities. The next six (6) months shall cover an on-the-job
12 training.] SUCCESSFUL EXAMINEES WHO JOIN THE DEPARTMENT
13 SHALL BE APPOINTED AS CADET FOREIGN SERVICE OFFICERS WITH
14 THE SAME SALARY AS A FOREIGN SERVICE OFFICER, CLASS IV, AND
15 SHALL UNDERGO A ONE-YEAR CADETSHIP PROGRAM. THE
16 PROGRAM SHALL CONSIST OF SIX (6) MONTHS INTENSIVE
17 CLASSROOM INSTRUCTIONS ON ALL ASPECTS OF CONSULAR AND
18 DIPLOMATIC DUTIES AND RESPONSIBILITIES. THE NEXT SIX (6)
19 MONTHS SHALL COVER AN ON-THE-JOB TRAINING, WHICH WILL
20 INCLUDE SERVING IN A DEPARTMENT OR POST EXTENSION OFFICE
21 AND MANDATORY SERVICE IN THE ASSISTANCE-TO-NATIONALS
22 UNIT FOR A PERIOD OF SIX (6) MONTHS. ONLY UPON SATISFACTORY
23 COMPLETION OF THE CADETSHIP PROGRAM WILL THE EXAMINEE BE
24 COMMISSIONED AS FOREIGN SERVICE OFFICER, CLASS IV: *PROVIDED,*
25 *HOWEVER,* THAT THE ONE (1) YEAR CADETSHIP PROGRAM SHALL BE

1 COUNTED IN THE THREE (3) YEARS HOME SERVICE PRIOR TO A
2 FOREIGN ASSIGNMENT: *PROVIDED, FINALLY*, THAT ALL CADET
3 OFFICERS AND APPOINTEES OF THE PRESIDENT ARE REQUIRED TO
4 UNDERGO THE FOLLOWING BEFORE ACTUALY DEPLOYMENT FOR A
5 FOREIGN ASSIGNMENT: (A) FRONTLINE SERVICE AT THE OFFICE OF
6 MIGRANT WORKERS AFFAIRS FOR AT LEAST SIX (6) MONTHS; AND (B)
7 GENDER SENSITIVITY TRAINING.

8 SEC. 9. Section 19 of the same Act is hereby amended to read as follows:

9 Sec. 19. Appointments. - The Secretary shall appoint all foreign
10 service officers and foreign service staff employees in accordance with the
11 Civil Service rules and regulations. Recruitment on the foreign service staff
12 officer and level shall be made through a competitive examination open to
13 personnel of the Department and outsiders, the successful candidates of which
14 shall be certified by the Board of Foreign Service Examinations for
15 appointment by the Secretary. THE EXAMINATION MAY BE GIVEN ONCE
16 EVERY SIX (6) MONTHS FROM WHICH A LIST OF SUCCESSFUL
17 EXAMINEES SHALL FORM THE ROSTER OF CANDIDATES QUALIFIED
18 AND CERTIFIED BY THE BOARD OF FOREIGN SERVICE EXAMINATION
19 FOR APPOINTMENT TO THE RANKS OF FOREIGN SERVICE STAFF
20 OFFICER. NO PERSONNEL OF THE DEPARTMENT OR PERSON NOT
21 AFFILIATED OR CONNECTED TO THE DEPARTMENT SHALL BE
22 APPOINTED TO A POSITION OR PROMOTED TO A VACANCY IN THE
23 FOREIGN SERVICE STAFF OFFICER LEVEL UNLESS HE/SHE HAS PASSED
24 THE FOREIGN SERVICE STAFF OFFICER EXAMINATION.

1 AFTER SUCCESSFULLY PASSING THE FOREIGN SERVICE STAFF
2 OFFICER EXAMINATION AND IMMEDIATELY FOLLOWING THEIR
3 APPOINTMENT AS FOREIGN SERVICE STAFF OFFICER OR FOREIGN
4 SERVICE STAFF EMPLOYEE, THE INDIVIDUAL CONCERNED SHALL
5 UNDERGO A CADETSHIP PROGRAM WHICH SHALL BE ONE (1) YEAR
6 FOR NEW ENTRANTS TO THE SERVICE AND SIX (6) MONTHS FOR
7 PERSONNEL WHO ARE PROMOTED AND APPOINTED TO THE NEXT
8 HIGHER RANKS OF THE FOREIGN SERVICES STAFF OFFICER LEVEL.

9 SEC. 10. Section 20 of the same Act is hereby amended to read as follows:

10 Sec. 20. Civil Service Eligibility. - No person shall be appointed
11 foreign service staff officer or foreign service staff employee unless he is a civil
12 service eligible; *Provided, however,* That priority shall be given to those who
13 passed the examinations for foreign service staff officers and foreign service
14 staff employees conducted by the Board of Foreign Service Examination[.]:
15 *PROVIDED, FURTHER,* THAT THE FOREIGN SERVICE STAFF OFFICER
16 EXAMINATION SHALL HAVE THE EQUIVALENT CIVIL SERVICE
17 ELIGIBILITY COMMENSURATE WITH THE RANK FOR WHICH THE
18 EXAMINATION IS GIVEN: *PROVIDED, FINALLY,* THAT FOREIGN SERVICE
19 STAFF EMPLOYEES OR FOREIGN SERVICE STAFF OFFICERS OR
20 FOREIGN SERVICE STAFF EMPLOYEES WHO HAVE AT LEAST
21 GRADUATED *CUM LAUDE* OR WHO HAVE PASSED A PROFESSIONAL
22 EXAMINATION SUCH AS THE PHILIPPINE BAR EXAMINATION OR THE
23 BOARD EXAMINATION FOR MEDICAL DOCTORS AND ACCOUNTANTS,
24 SHALL BE DEEMED TO HAVE PASSED THE EXAMINATION FOR
25 PROMOTION TO THE HIGHEST RANK OF FOREIGN SERVICE STAFF

1 OFFICER TO THE HIGHEST RANK OF FOREIGN SERVICE STAFF
2 OFFICER AND MAY BE PROMOTED ACCORDINGLY TO THE NEXT
3 HIGHER RANKS.

4 Sec. 11. Section 23 is hereby amended to read as follows:

5 Sec. 23. Compulsory Retirement. - All officers and employees of the
6 Department who have reached the age of sixty-five (65) shall be compulsorily
7 and automatically retired from the Service: Provided, however, That [all
8 incumbent non-career chiefs of mission who are seventy (70) years old and
9 above shall continue to hold office until June 30, 1992 unless sooner removed
10 by the appointing authority] FOREIGN SERVICE STAFF OFFICERS, WHO
11 HAVE REACHED THE HIGHEST SALARY GRADE OF THE RANK MAY BE
12 RETIRED WITH A PROMOTION TO FOREIGN SERVICE OFFICER, UP TO
13 THE RANK OF FOREIGN SERVICE OFFICER, CLASS III. THERE SHALL BE
14 NO TERM EXTENSION FOR RETIRING AMBASSADORS EXCEPT TO
15 MAKE IT CO-TERMINOUS WITH THE TERM OF THE PRESIDENT WHO
16 APPOINTED HIM/HER AS SUCH. Non-career appointees who shall serve
17 beyond the age of sixty-five (65) years shall not be entitled to retirement
18 benefits.

19 SEC. 12. Section 26 of the same Act is hereby amended to read as follows:

20 Sec. 26. Foreign Services Officers Promotion List. - On the basis of
21 recommendations made by the Board of Foreign Service administration, the
22 Secretary shall, from the time to time, furnish the President with the names of
23 career service officers, class IV, to chief of mission, class I. THE NAME,
24 RANK, SENIORITY AND HOME OFFICE AND FOREIGN SERVICE
25 ASSIGNMENT OF CAREER FOREIGN SERVICE OFFICERS QUALIFIED

1 FOR APPOINTMENT TO THE NEXT HIGHER RANK OR CLASS SHALL BE
2 INDICATED IN A LINEAL ROSTER PREPARED IN ACCORDANCE WITH
3 SEC. 54 OF THIS ACT AND WHICH SHALL BE PUBLISHED ANNUALLY.
4 THE LIST OF CAREER SERVICE OFFICERS RECOMMENDED FOR
5 PROMOTION SHALL BE MADE PUBLICLY AVAILABLE BEFORE THEY
6 ARE SUBMITTED TO THE PRESIDENT FOR APPROVAL.

7 Sec. 13. Sec. 27 of the same Act is hereby amended to read as follows:

8 Sec. 27. Cumulative Number of Years of Service in Each Class. - The
9 Secretary may determine a standard performance based on merit for each class
10 which must be met before any foreign service officer may become eligible for
11 promotion to a higher class. All foreign service officers shall be required to
12 render satisfactory service continuously for a minimum period of three (3)
13 years in each class and for the total cumulative period computed at three (3)
14 years for each class before they become eligible for promotion to the next
15 higher class: *Provided, however,* That foreign service officers who have shown
16 exceptional and meritorious qualities and have rendered exemplary service IN
17 THE DEPARTMENT OR WHILE ON DETAIL OR SECONDMENT TO
18 OTHER BRANCH OR AGENCIES OF THE GOVERNMENT may be promoted
19 to the next higher rank as an exception hereof[.]: *PROVIDED, FURTHER,*
20 THAT EXEMPLARY SERVICE OR PERFORMANCE OF DUTIES
21 RENDERED AS ASSISTANCE-TO-NATIONALS, ESPECIALLY TO
22 OVERSEAS FOREIGN WORKERS, DOCUMENTED OR OTHERWISE,
23 SHALL BE ONE OF THE CRITERIA FOR THE PROMOTION
24 CONTEMPLATED IN THIS SECTION: *PROVIDED, FINALLY,* THAT EACH
25 AND EVERY PROMOTION BASED ON EXCEPTIONAL, MERITORIOUS

1 AND EXEMPLARY PERFORMANCE OR SERVICE SHALL BE
2 SUBSTANTIALLY SUPPORTED AND JUSTIFIED BEFORE THE
3 COMMISSION ON APPOINTMENTS, WHICH SHALL SCRUTINIZE THE
4 PROMOTION.

5 ALL APPOINTMENTS MADE BY THE PRESIDENT IN THIS ACT
6 MUST BE PUBLISHED TOGETHER WITH THE CREDENTIALS BEFORE
7 THE APPOINTMENT PAPERS ARE SUBMITTED TO THE COMMISSION
8 ON APPOINTMENTS FOR THE CONFIRMATION.

9 PROMOTION TO THE RANKS OF FOREIGN SERVICE STAFF
10 OFFICER SHALL BE IN ACCORDANCE WITH SECTION 19 OF THIS ACT.
11 NO PERSONNEL MAY BE PROMOTED TO ANY OF THE RANK OF
12 FOREIGN SERVICE STAFF OFFICER UNLESS HE/SHE HAS PASSED THE
13 OPEN COMPETITIVE EXAMINATION FOR THAT RANK.

14 SEC. 14. Section 30 of the same Act is hereby amended and renumbered as Sec. 31 to
15 read as follows:

16 Sec. 30. Lateral Entry - Lateral entry into the Career Foreign Service
17 Corps shall be permitted for those individuals who have successfully passed at
18 the written and oral examinations conducted by the Board of Foreign Service
19 Examinations but at the time when offered an appointment as foreign service
20 officer, class IV, decided to join another government agency: Provided,
21 however, That:

- 22 (a) X X X
23 (b) X X X
24 (c) X X X

1 (d) The rank to which is being re-appointed shall [not be higher] BE ONE
2 RANK BELOW than that of his successful co-examinees who have
3 joined the Service immediately after being offered the appointment.

4 SEC. 15. Section 32 of the same Act is hereby amended to read as follows:

5 Sec. 32. Senior Staff Officer. - Personnel who have attained the
6 highest rank in the staff service and have rendered service in that position
7 continuously for a period of five (5) years and a cumulative period totaling at
8 least fifteen (15) years shall be eligible for promotion in salary and allowances
9 equivalent to be minimum salary and allowances of foreign service officer,
10 class IV: *Provided*, That they shall have continuously received a minimum
11 efficiency rating of 'every satisfactory' throughout those years of service.

12 Thereafter, for every additional [six (6)] FIVE (5) years of continuous
13 very satisfactory service, AS CERTIFIED BY THE SECRETARY, they shall be
14 eligible for promotion in salary and allowances of the next higher class of
15 foreign service officer UP TO THE HIGHEST SALARY GRADE OF A
16 FOREIGN SERVICE OFFICER, CLASS III.

17 SEC. 16. Section 36 is hereby amended as to read as follows:

18 Sec. 36. Initial Service in the Home Office. - Except for non-career
19 chiefs of mission appointed by the President, no member of the Career Foreign
20 Service Corps shall be assigned to any post abroad unless he has rendered
21 continuous and satisfactory service in the home office for at least three (3)
22 years. [including undertaking an intensive familiarization program of
23 Philippine conditions, urban and rural.]

24 IN THE ISSUANCE OF A FOREIGN ASSIGNMENT, THERE SHALL
25 BE A LINEAL ROSTER OF FOREIGN SERVICE OFFICERS, FOREIGN

SERVICE STAFF OFFICERS AND FOREIGN SERVICE STAFF EMPLOYEES
QUALIFIED FOR FOREIGN ASSIGNMENT WHICH MAY BE USED AS A
PRIMARY BASIS FOR SELECTING THOSE WHO WILL BE ASSIGNED TO
FOREIGN SERVICE POSTS. PERSONNEL NOMINATED FOR FOREIGN
ASSIGNMENT SHALL BE ISSUED THEIR ASSIGNMENTS TO PROVIDE
FOR ADEQUATE PERIOD OF FURTHER TRAINING AND PREPARATION
FOR THE SPECIFIC ASSIGNMENT. THE TRAVEL ORDER WILL BE
ISSUED AT THE END A MINIMUM OF SATISFACTORY PERFORMANCE
IN THE THREE (3) MONTHS TRAINING PERIOD.

SEC. 17. Section 37 is hereby amended to read as follows:

Sec. 37. Tour of Duty. – Subject to the exigencies of the service:

(a) X X X

(b) X X X

(c) X X X

(d) Any foreign service officer, foreign service staff officer or employee on
assignment abroad may be recalled to the home office or dismissed
from the Service at any time for unsatisfactory performance SUCH AS
PASSPORT FRAUD, CORRUPTION, MALTREATMENT AND
MISTREATMENT OF OVERSEAS FOREIGN WORKERS, AND THE
LIKE, as certified by the head of post and approved by the Secretary
upon recommendation of the Board of Foreign Service Administration,
SUBJECT TO DUE PROCESS AND FULL INVESTIGATION OF THE
ALLEGATION BEFORE SUCH RECALL OR DISMISSAL MAY BE
EFFECTED TO PROTECT THE CONSTITUTIONAL AND
ADMINISTRATIVE RIGHTS OF THE AFFECTED OFFICER OR

1 EMPLOYEE. A FULL INVESTIGATION ON A PARTICULAR CASE
2 SHALL BE HEADED BY AN UNDERSECRETARY TO BE
3 DESIGNATED BY THE SECRETARY. ALL INVESTIGATIONS MUST
4 BE CONCLUDED WITHIN SIX (6) MONTHS FROM THE DATE THE
5 ALLEGATION SUPPORTING THE RECALL OR DISMISSAL, AS THE
6 CASE MAY BE, WAS MADE AND THE UNDERSECRETARY SO
7 DESIGNATED TO HANDLE THE INVESTIGATION SHALL SUBMIT
8 TO THE SECRETARY A WEEKLY PROGRESS REPORT ON THE
9 INVESTIGATION DURING THE TIME THAT THE INVESTIGATION
10 IS PENDING.

11 SEC. 18. Section 47 of the same Act is hereby amended to read as follows:

12 Sec. 47. Functions. - The Board shall conduct examination and
13 nominate to the President through the Secretary, successful candidates for
14 appointments as foreign service officers, class IV. It shall receive and screen
15 application for the foreign service officer (FSO) examinations.

16 The Board shall prescribe the academic training and practical
17 experiences required of candidates and determine the subjects on which the
18 written and oral examinations shall be held. The Board shall prepare, conduct
19 and grade the written examinations and certify to the Secretary for oral
20 examinations those candidates who obtained a general average of seventy-five
21 percent (75%) or higher[.]: *PROVIDED, HOWEVER, THAT ANY*
22 *EXAMINEE WHO RECEIVES A COMPOSITE GRADE OF EIGHTY*
23 *PERCENT (80%) OR HIGHER IN BOTH THE WRITTEN AND ORAL*
24 *EXAMINATION SHALL BE CERTIFIED TO THE SECRETARY AS*
25 *QUALIFIED FOR APPOINTMENT AS FOREIGN SERVICE OFFICE, CLASS*

1 IV. In the preparation of questions and the grading of examination papers on
2 any subject, the Board may request, through the Secretary of the Department
3 concerned, the assistance of any competent officer in the government service.

4 THE BOARD SHALL ALSO CONDUCT THE EXAMINATION
5 REQUIRED BY SEC. 29 OF THIS ACT FOR PROMOTION TO THE RANK
6 OF CAREER MINISTER. THE BOARD MAY REQUEST A PUBLIC OR
7 PRIVATE AGENCY TO PREPARE AND CONDUCT A PORTION OF THE
8 EXAMINATION AND EVALUATE THE GRADES OF THAT PORTION OF
9 THE EXAMINATION. ANY EXAMINEE WHO OBTAINED A COMPOSITE
10 GRADE OF SEVENTY-FIVE PERCENT (75%) IN THE EXAMINATION
11 SHALL BE CERTIFIED TO THE SECRETARY AS QUALIFIED FOR
12 PROMOTION TO THE RANK CAREER MINISTER THE RESULT OF THE
13 EXAMINATION SHALL BE THE SOLE BASIS FOR PROMOTION.

14 SEC. 19. Section 50 is hereby amended to read as follows:

15 Sec. 50. Composition. - There shall be a Board of Foreign Service
16 Administration to be composed of one (1) of the Undersecretaries, as
17 Chairman, and the two (2) Undersecretaries and the Assistant Secretaries of
18 the different offices in the Department, including the Director of the Institute,
19 AND THE PRESIDENT OF THE DEPARTMENT OF FOREIGN AFFAIRS
20 PERSONNEL ASSOCIATION, as members.

21 SEC. 20. Section 51 of the same Act is hereby amended to read as follows:

22 Sec. 51. Functions. - X X X

23 The Board shall keep a lineal roster of all chiefs of mission, career
24 minister, foreign service officers, foreign service staff officers and foreign
25 service staff employees strictly in the order of their ranks and seniority in each

1 rank or class, based on their respective dates of appointment. In submitting
2 recommendations for promotions to the President, through the Secretary, the
3 Board shall base its recommendations on the efficiency ratings and seniority of
4 the officers and employees concerned [.] AND TAKE INTO
5 CONSIDERATION MERITORIOUS OR EXEMPLARY PERFORMANCE.
6 THE BOARD SHALL ALSO KEEP A LINEAL ROSTER OF ALL OFFICERS
7 AND EMPLOYEES INDICATING PREVIOUS ASSIGNMENTS,
8 ADDITIONAL TRAINING AND SERVICES WHICH SHALL STRICTLY
9 BECOME THE BASIS FOR RECOMMENDATION FOR FOREIGN
10 ASSIGNMENT.

11 SEC. 21. Section 54 of the same Act is hereby amended to read as follows:

12 Sec. 54. Disciplinary Actions. - In the investigation of administrative
13 cases against officers and employees of the Department, the applicable rules,
14 regulations and guidelines promulgated by the Civil Service Commission shall
15 be strictly observed.

16 No officer or employee of the Department shall be subjected to
17 disciplinary action or otherwise be removed or separated from the Service
18 except for cause as provided for by law and in accordance with requirements
19 of due process.

20 Disciplinary actions may be taken against an officer or an employee
21 only by the appropriate disciplinary authority, to wit:

22 (a) The President for all presidential appointees of the Department,
23 upon the recommendation of the Secretary; and

24 (b) The Secretary for all those appointed by him or by his
25 predecessors.

1 No officer or employees of the Department facing administrative
2 charges shall be effectively suspended or otherwise prevented from exercising
3 his normal duties and functions unless so ordered by the appropriate
4 disciplinary authority on grounds provided for by law.

5 In the interest of harnessing all the human resources in the
6 department, no officer or employee shall be "frozen" or "floated" or otherwise
7 deprived of PROMOTION, an assignment, duties or functions appropriate to
8 his rank and position, except for justifiable reasons[.], WHICH SHALL BE
9 SUPPORTED BY EVIDENCE.

10 SEC. 22. Section 58 of the same Act is hereby amended to read as follows:

11 Sec. 58. Operations. - The Institute shall continue to operate under its
12 own charter. [The Director of the Institute shall be a senior career chief of
13 mission with the title of assistant secretary.] THE HEAD OF THE INSTITUTE
14 SHALL BE A SENIOR CAREER CHIEF OF MISSION WITH THE TITLE OF
15 DIRECTOR-GENERAL AND THE EQUIVALENT RANT OF
16 UNDERSECRETARY.

17
18 SEC. 23. Section 62 is hereby amended to read as follows:

19 Sec. 62. Membership in the Government Service Insurance System. -
20 All permanent officers and employees of the Service who are citizens of the
21 Philippines shall have compulsory insurance coverage under the rules and
22 regulations governing the same: *Provided, however,* That the President upon
23 recommendation of the Secretary may, as soon as practicable [submit for
24 enactment by Congress] DIRECT THE SETTING UP OF a foreign affairs
25 retirement and disability system, taking into account the difficulties of foreign

1 service personnel in setting aside sufficient saving to take care of their
2 eventual retirement in the Philippines due to old age or some other disability,
3 with the increased burden of establishing a home in the Philippines after
4 completion of their tour of duty abroad[.]; *PROVIDED, FURTHER, THAT*
5 *THE PRESIDENT UPON THE RECOMMENDATION OF THE SECRETARY*
6 *SHALL ESTABLISH A FOREIGN AFFAIRS HOUSING SYSTEM, SIMILAR*
7 *TO THAT ALREADY SET UP IN OTHER GOVERNMENT AGENCIES, TO*
8 *ENABLE FOREIGN SERVICE PERSONNEL TO MEET THE INCREASED*
9 *BURDEN OF ESTABLISHING A HOME IN THE PHILIPPINES.*

10 SEC. 24. Section 63 is hereby amended to read as follows:

11 Sec. 63. System of Allowances. - The President upon recommendation
12 of the Secretary shall [recommend to Congress the establishment of]
13 ESTABLISH a system of allowances for foreign service personnel which shall
14 be subject to periodic review and shall include the following:

- 15 (a) X X X
- 16 (b) X X X
- 17 (c) X X X
- 18 (d) X X X
- 19 (e) X X X
- 20 (f) Education Allowance – To compensate for additional educational cost
21 incurred by officers and employees assigned abroad for legal dependent
22 children not exceeding three (3) in number who are enrolled in the
23 primary and elementary grades and high school [where free public
24 education is absent.].
- 25 (g) X X X

1 (h) X X X

2 SEC. 25. Section 65 of the same Act is hereby amended to read as follows:

3 Sec. 65. Living Quarters Allowance. - Commutable living quarters
4 allowance shall be granted to officers [or] AND employees in the Service
5 assigned abroad who are citizens of the Philippines. Such allowance may
6 cover the rental which may be revised as the amounts not more often than
7 once a year with the approval of the President.

8 On transfer from post, allowances shall cease at the end of the month
9 following departure therefrom. Commutable living quarters allowance shall
10 be granted at *per annum* rate and shall be commuted and paid monthly
11 beginning on the first day of the month following the arrival of the payee at
12 his post of assignment: *Provided, however,* That the suitability of the said
13 quarters in each post shall be officially certified under oath by the chief of
14 mission or principal officer: *Provided, further,* That the equivalent of said
15 allowance corresponding to the first three (3) months following arrival at post
16 shall be paid immediately upon its accrual. On transfer from post, allowances
17 shall cease at the end of the month following departure therefrom[.]:
18 *PROVIDED, FINALLY,* THAT THE RATE OF SUCH ALLOWANCE SHALL
19 BE DETERMINED FROM THE LEGAL STATUS OF THE PERSONNEL
20 FROM THE TIME OF DEPARTURE FOR THE ASSIGNMENT.

21 No living quarters allowance shall be paid to persons occupying
22 government-owned, furnished and heated quarters. No allowance shall be
23 paid for quarters occupied free or under arrangements with other parties
24 permitting direct or indirect gain to the claimant or his family.

1 If a person entitled to living quarters allowances occupies quarters by
2 him/HER, his/HER [wife] SPOUSE, or children, he shall be entitled to a
3 quarters allowance equal to fifty percent (50%) of the rental value of the
4 quarters[.] BUT NOT TO EXCEED THE FULL RATE OF QUARTERS
5 ALLOWANCE ALLOWABLE FOR THE RANK. The chief of mission or
6 principal officer, as the case may be, jointly with the administrative officer
7 shall certify under their official oaths the rental value on the face of the cash
8 voucher.

9 Lease contracts entered into by any officer or employee assigned should
10 contain a "Diplomatic Clause" whereby the tenant is not penalized for
11 breaking the period of the contract should he be reassigned to another post or
12 is recalled to the home office.

13 In case of detail of the officer or employee from his post of assignment
14 (detail to the home office excluded), the quarters allowance shall cease to
15 accrue from the first day of the month following the date of his departure
16 unless it can be shown that the rented quarters used as his residence has been
17 retained at the post of assignment and the rentals thereof are continued, but in
18 no case shall the allowance continue beyond three (3) months without the
19 prior approval of the Secretary. If the officer or employee owns the quarters
20 occupied by him, payment of the allowance shall cease immediately unless
21 other wise authorized by the Secretary.

22 In case an officer or employee is on home leave, the allowance shall
23 cease to accrue form the first day of the month following the date of his
24 departure from his post, unless it can be shown that the rented quarters used
25 as residence has been retained at the post of assignment, but in no case shall be

1 allowance continue beyond three (3) months. This regulation shall apply also
2 in cases when extended leaves of absence are taken in any other emergency
3 cases necessitating departure from the post of assignment unless otherwise
4 authorized by the President upon recommendation of the Secretary. If the
5 officer or employee owns the house occupied by him, the allowance shall be
6 discontinued.

7 IN NO CASE SHALL QUARTERS BE OFFICIALLY CERTIFIED AS
8 SUITABLE UNLESS IT IS COMMENSURATE TO THE RANK OF THE
9 OFFICER OR EMPLOYEE DEEMED SUITABLE ACCORDING TO THE SIZE
10 OF THE QUARTERS AND THE NUMBER OF OCCUPANTS. IN CASE
11 QUARTERS HAVE BEEN CERTIFIED BUT IS FOUND NOT
12 COMMENSURATE TO THE RANK AND OCCUPANCY RATION THEREOF,
13 THE CERTIFYING OFFICERS AND THE OCCUPANT OF THE QUARTERS
14 SHALL BE SUBJECT TO DISCIPLINARY ACTION.

15 Sec. 26. Section 67 is hereby amended to read as follows:

16 SEC. 67. Adjustment OF LIVING QUARTERS AND [in the] Overseas
17 Allowance. – A permanent committee is hereby created, consisting of the
18 Secretary as Chairman and, as members, the Secretary of the Budget and
19 Management and the Governor of [Central Bank] THE BANGKO SENTRAL
20 NG PILIPINAS, with the objectives of compiling information on foreign
21 currency exchange rate fluctuations and price levels abroad and
22 recommending periodic adjustments in the amount of LIVING QUARTERS
23 ALLOWANCES AND overseas allowances to foreign service personnel of the
24 National Government in each foreign service post: *Provided, further,* That the
25 adjustments shall be made not more often than once a year: *Provided,*

1 *furthermore*, That the implementation shall be subject to the availability of
2 funds.

3 SEC. 27. Section 71 is amended to read as follows:

4 Sec. 71. Clothing Allowance. - Clothing Allowance may be granted to
5 officers and employees of the Service abroad who are citizens of the
6 Philippines not more than often than once every [twelve (12)] SIX (6) months,
7 the rates of which shall be determined by the Department.

8 SEC. 28. Section 72 is hereby amended to read as follows:

9 Sec. 72. Education Allowance. - Education allowance may be granted
10 to officers and employees assigned abroad who are citizens of the Philippines
11 for their legal dependent children not exceeding three (3) in number, who are
12 enrolled in the primary, elementary and high school levels. [This grant shall
13 not, however, be payable in respect to post where free education is provided
14 for.]

15 The allowance may be granted as reimbursement of actual costs within
16 such maximum amounts as shall be fixed by the Secretary and the Department
17 of Budget and Management, with the approval of the President, per school
18 year for each child subject to presentation of receipts and other evidences of
19 payment of matriculation, tuition, books and other school fees.

20 SEC. 29. Section 82 is hereby amended to read as follows:

21 Sec. 82. Foreign Service Compensation Plan. - The provisions of
22 Executive Order No. 495 and Presidential Decree no. 1285, both issued in
23 1978, as well as provisions of other acts, decrees, orders, letters of
24 implementations, letter of instruction, and rules and regulations which are not
25 inconsistent with the aforementioned order and decree shall apply with

1 respect to the foreign service compensation plan of the Department. For
2 purposes of implementing this title, the home office shall be considered a
3 separate post[.], WITH ALL PERSONNEL ENTITLED TO SUCH
4 ALLOWANCES THE APPLICABILITY AND RATES OF WHICH SHALL BE
5 IMMEDIATELY DETERMINED BY THE SECRETARY

6 SEC. 30. Separability Clause. – Any portion or provisions of this Act that may be
7 declared unconstitutional or invalid shall not have the effect of nullifying other portions and
8 provisions hereof as long as such remaining portion or provision can still subsist and be given
9 effect in their entirety.

10 SEC. 31. Repealing Clause. – All laws, decrees, executive orders, proclamations and
11 administrative regulations, or parts thereof inconsistent herewith are hereby repealed or
12 modified accordingly.

13 SEC. 32. Effectivity Clause. – This Act shall take effect fifteen (15) days after its
14 publication in at least two national newspaper of general circulation.

Approved,