


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

10 JUL 21 1941

SENATE
S. No. 1781

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

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

¹ This bill was originally filed in the third regular session of the 14th Congress.

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

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

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

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

11 SECTION 3. *Notice.* – The written notice shall in no case be later than 30
12 calendar days from knowledge thereof and shall identify the date that the charge or
13 conviction occurred.

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

17 SECTION 5. *Separability Clause.* – If any provision or part of this Act is held
18 invalid or unconstitutional, the remainder of the law or the provision not otherwise
19 affected shall remain valid and subsisting.

20 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance,
21 executive order, letter of instruction, administrative order, rule or regulation contrary to,

22 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
23 accordingly.

24 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
25 after its publication in at least two (2) newspapers of general circulation.

Approved.