

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



Senate
Office of the Secretary

13 JUL 22 P2:05

SENATE

S. No. 999

RECEIVED BY: *ja*

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

Explanatory Note

Government accountants play a vital role in the daily operation of the National Government such as monitoring of programs and projects, budget control, economic analysis, policy formulation, decision-making, and spotting possible areas for anomalies. Performing the aforementioned functions and ensuring proper control on expenses and use of the government's resources however requires our accountants to render services beyond office hours.

Moreover, their profession exposes them to stress brought about by deadlines and pressures as well as the responsibilities that rests on their shoulders. This bill seeks to improve and promote the social and economic status of our government accountants as well as their living and working conditions, terms of employment, professional growth, and career advancement.

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, immediate approval of this measure is earnestly sought

ANTONIO "SONNY" F. TRILLANES IV

Senator

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




Senate
Office of the Secretary

'13 JUL 22 P 2 :05

SENATE

S. No. 999

RECEIVED BY: 

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

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 Accountants.*"

2

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

10

11 **SEC. 3. Definition of Terms.-** As used in this Act, the following terms shall be construed
12 to mean as follows:

13 a.) Government Accounting - refers to the whole system of recording, classifying and
14 summarizing financial transactions, the establishment of adequate accounting and financial
15 information system, the establishment of sound and integrated system of internal financial and
16 administrative controls, and such other related functions aimed towards improving fiscal controls
17 and management;

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

27

28 **SEC. 4. Coverage.**- This Act shall cover all officials and employees holding permanent
29 positions in the Government, its subdivisions, agencies, and instrumentalities, including

1 government-owned and controlled corporations performing accounting, budgeting, internal audit
2 and other related government accounting functions.

3

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

9

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

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

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

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

1 **SEC. 8. Security of Tenure.-** Government accountants holding permanent positions shall
2 not be terminated except for cause as may be provided by law and after due process: Provided,
3 that any government accountant found by the CSC to be unjustly dismissed from work shall be
4 entitled to reinstatement without loss of seniority rights and to backwages with twelve (12%)
5 percent interest computed from the time the compensation was withheld up to the time of
6 reinstatement.

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

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

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

20 **SEC. 11. Safeguards and Disciplinary Procedures.-** In every disciplinary proceeding, a
21 Government Accountant shall be accorded the following rights:

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

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

3 **SEC. 12. Overtime Work.** - Where the exigencies of the service so require, any
4 Government Accountant maybe required to render service beyond the normal eight (8) hours a
5 day, including Saturdays, Sundays or non-working holidays. In such case, the Government
6 Accountant shall be paid an additional compensation in accordance with existing laws.

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

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

18
19 **SEC. 15. Additional Compensation and Incentives.**- Notwithstanding Section 12 of
20 Republic Act No. 6758, otherwise known as the "Compensation and Position Classification Act
21 of 1989," Government Accountants shall receive the following allowances:

22 a.) Subsistence allowance which may be computed in accordance with prevailing circumstances
23 as may be determined by and in consultation with AGAP;

24 b.) Longevity pay which shall be equivalent to five percent (5%) of the monthly basic pay for
25 every five (5) years of continuous, efficient and meritorious services rendered as certified by the
26 Head of Agency commencing with the service after the approval of this Act.

27 c.) Laundry Allowance shall be granted to those who are required to wear uniform regularly at
28 the rate of Three Hundred Pesos (P300.00) per month: *Provided*, that this rate shall be reviewed

1 periodically and increased accordingly by the Secretary of Budget and Management in
2 consultation with the appropriate government agencies concerned.

3 d.) Remote Assignment Allowance shall be extended to those who accept assignment in remote
4 areas or isolated stations, which for reasons of far distance or hard accessibility, such positions
5 had not been filled for the last two (2) years prior to the approval of this Act, equivalent to fifty
6 percent (50%) of their basic pay inclusive of the reimbursable cost of reasonable transportation
7 to and from such remote post or station, upon assuming or leaving such position and during
8 official trips: *Provided*, That tour of duties in remote areas shall not exceed two (2) years for
9 their transfer, or they prefer to stay in such post in excess of two (2) years.

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

17 f.) Compensation for Injuries - Government Accountants shall be protected against the
18 consequences of employment injuries in accordance with existing laws. Injuries incurred while
19 doing overtime work shall be presumed workconnected.

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

22

23 **SEC. 16. Automatic Salary Adjustment.**- Government Accountants who are Certified
24 Public Accountants and enjoying permanent status, shall be granted an automatic five percent
25 (5%) increase in his basic salary upon approval of this Act: *Provided*, that those who passed the
26 CPA Licensure Examination or who have completed post graduate studies after the approval of
27 this Act, shall also be entitled to the five percent (5%) automatic adjustment in basic pay.

1 **SEC. 17. *Highest Basic Salary Upon Retirement.***- Three (3) months prior to compulsory
2 retirement, a Government Accountant shall automatically be granted salary increase to the next
3 higher salary grade but in no case shall the salary difference be less than Five Hundred Pesos
4 (P500.00): *Provided*, that compulsory retirement shall include staff members who died by reason
5 of work connected sickness or accident or declared total permanent disability prior to
6 compulsory retirement age irrespective of length of services provided that the services rendered
7 were satisfactory.

8
9 **SEC. 18. *Right to Self-organization.***- Government Accountants shall have the right to
10 freely form their own organization, to affiliate with or assist other organizations or government
11 workers for purposes not contrary to law, in order to defend and protect their mutual interests
12 and to obtain redress of their grievances through peaceful concerted activities: *Provided*, That
13 under no circumstances shall they be allowed to declare, stage or join any strike or cessation of
14 services.

15
16 **SEC. 19. *The Right to Attend Periodic Workshops, Dialogues, Conferences, Seminars***
17 ***and Conventions.***- Government Accountants being instrument of management of the various
18 government agencies in graphing or directing the proper course of action towards th, e
19 attainment of their respective plans and projects have the right to be properly updated of the
20 continuing plans and strategies in maximizing the resources of government to obtain the best
21 results at minimum costs. Heads of Agencies shall allow Government Accountants to attend
22 training workshops, dialogues-conferences or seminars and conventions on official business.
23 They shall also have the right to be informed periodically of the Agency's plans, programs and
24 strategies.

25
26 **SEC. 20. *Freedom from Interference or Coercion.***- Government Accountants shall be
27 guaranteed from interference and coercion from authorities outside his agency.

1 **SEC. 21. Human Resource Development/Management Study.**- The CSC in coordination
2 with the Association of Government Accountants of the Philippines shall conduct periodic
3 human resource development/management study along the following areas:

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

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

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

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

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

14

15 **SEC. 22. Prohibition Against Elimination and/or Diminution of Benefits.**- Nothing in
16 this Act shall be construed to eliminate or in any way diminish benefits being enjoyed by
17 government accountants of the time of the effectivity of this Act.

18

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

24

25 **SEC. 24. Appropriations.**- The amount necessary to implement the provision of this Act
26 is hereby authorized to be appropriated out of any funds not otherwise appropriated. Thereafter,
27 such sums shall be included in the General Appropriation of the government agencies or
28 instrumentalities concerned.

1 **SEC. 25. Rules and Regulations.-** The Civil Service Commission (CSC), in consultation
2 with the Association of Government Accountants of the Philippines (AGAP), Inc. and such other
3 professional organizations of government accountants, shall promulgate necessary rules and
4 regulations to implement the provisions of this Act.

5
6 **SEC. 26. Separability Clause.-** If any provision of this Act is declared unconstitutional or
7 invalid, the remainder thereof not affected thereby shall continue to be in full force and effect.

8
9 **SEC. 27. Repealing Clause.-** All laws, decrees, orders, rules and regulations or other
10 issuance or parts thereof inconsistent with the provision of this Act are hereby repealed, amended
11 or modified accordingly.

12
13 **SEC. 28. Effectivity.-** This Act shall take effect fifteen (15) days after its publication in at
14 least two (2) newspapers of general circulation.

Approved,