

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

8 AUG 13 18:45

SENATE

RECEIVED BY: 

S. NO. 2533

Introduced by Senator 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

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AN ACT
PROVIDING FOR A MAGNA CARTA OF GOVERNMENT ACCOUNTANTS

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

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

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

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

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

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

31
32 **SEC. 4. Coverage.** - This Act shall cover all officials and employees holding
33 permanent positions in the Government, its subdivisions, agencies, and instrumentalities,
34 including government-owned and controlled corporations performing accounting,
35 budgeting, internal audit and other related government accounting functions.

1
2 **SEC. 5. *Recruitment and Qualification.*** - The selection and appointment of
3 Government Accountants shall be strictly in accordance with the merit and fitness
4 principle and the minimum qualification requirements as may now or thereafter be
5 prescribed by the CSC: Provided, that the CSC may develop and administer specialized
6 examination for purposes of providing appropriate eligibilities to positions not requiring a
7 certified public accountant eligibility.

8
9 **SEC. 6. *Performance Evaluation and Merit Promotion.*** - Heads of agencies
10 shall prepare a uniform Career and Personnel Development Plan applicable to all
11 Government Accountants in their respective agencies. Such Career and Personnel
12 Development Plan shall include provisions on merit promotion, performance evaluation,
13 in service training, grants and incentive award system.

14
15 The Performance Evaluation Plan shall consider foremost the improvement of
16 individual employee's efficiency and organization effectiveness: Provided, that each
17 employee shall be informed regularly of his performance evaluation.

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

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

31
32 **SEC. 8. *Security of Tenure.*** - Government accountants holding permanent
33 positions shall not be terminated except for cause as may be provided by law and after
34 due process: Provided, that any government accountant found by the CSC to be unjustly
35 dismissed from work shall be entitled to reinstatement without loss of seniority rights and

1 to backwages with twelve (12%) percent interest computed from the time the
2 compensation was withheld up to the time of reinstatement.

3
4 **SEC. 9. *Discrimination Prohibited.*** - A Government Accountant shall not be
5 discriminated against with regard to gender, civil status, creed, religious or political
6 beliefs, and ethnic groupings in the exercise of his profession.

7
8 **SEC. 10. *No Understaffing/Overloading of Government Accounting Staff.*** -
9 There shall be no understaffing or overloading of Government Accountants. A Standard
10 Staffing Pattern for government accounting staff shall be established, taking into
11 consideration the total appropriation, number of funds, number of agencies/units with
12 individual sets of books of accounts, organization's manpower force, and such other
13 factors as may be determined by the DBM, CSC and COA.

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

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

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

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

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

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

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

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

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

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

1 official trips: Provided, That tour of duties in remote areas shall not exceed two
2 (2) years for their transfer, or they prefer to stay in such post in excess of two
3 (2) years.

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

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

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

18
19 **SEC. 16. *Automatic Salary Adjustment.*** - Government Accountants who are
20 Certified Public Accountants and enjoying permanent status, shall be granted an
21 automatic five percent (5%) increase in his basic salary upon approval of this Act:
22 Provided, that those who passed the CPA Licensure Examination or who have completed
23 post graduate studies after the approval of this Act, shall also be entitled to the five
24 percent (5%) automatic adjustment in basic pay.

25
26 **SEC. 17. *Highest Basic Salary Upon Retirement.*** - Three (3) months prior to
27 compulsory retirement, a Government Accountant shall automatically be granted salary
28 increase to the next higher salary grade but in no case shall the salary difference be less
29 than Five Hundred Pesos (P500.00): Provided, further, That compulsory retirement shall
30 include staff members who died by reason of work connected sickness or accident or
31 declared total permanent disability prior to compulsory retirement age irrespective of
32 length of services provided that the services rendered were satisfactory.

33
34 **SEC. 18. *Right to Self-organization.*** - Government Accountants shall have the
35 right to freely form their own organization, to affiliate with or assist other organizations

1 or government workers for purposes not contrary to law, in order to defend and protect
2 their mutual interests and to obtain redress of their grievances through peaceful concerted
3 activities: Provided, That under no circumstances shall they be allowed to declare, stage
4 or join any strike or cessation of services.

5
6 **SEC. 19. *The Right to Attend Periodic Workshops, Dialogues, Conferences,***
7 ***Seminars and Conventions.*** - Government Accountants being instrument of management
8 of the various government agencies in graphing or directing the proper course of action
9 towards the attainment of their respective plans and projects have the right to be properly
10 updated of the continuing plans and strategies in maximizing the resources of government
11 to obtain the best results at minimum costs. Heads of Agencies shall allow Government
12 Accountants to attend training workshops, dialogues-conferences or seminars and
13 conventions on official business. They shall also have the right to be informed
14 periodically of the Agency's plans, programs and strategies.

15
16 **SEC. 20. *Freedom from Interference or Coercion.*** - Government Accountants
17 shall be guaranteed from interference and coercion from authorities outside his agency.

18
19
20 **SEC. 21. *Human Resource Development/Management Study.*** - The CSC in
21 coordination with the Association of Government Accountants of the Philippines shall
22 conduct periodic human resource development/management study along the following
23 areas:

- 24 a) Adequacy of modern and updated facilities and supplies to render quality,
25 timely and reliable financial reports;
- 26 b) Opportunity for government accountant staff to grow and develop their
27 potentials and to, attain a sense of worth and dignity of their work;
- 28 c) Staffing patterns and standards of accounting offices or units attuned to
29 contemporary requirements and 30 trends;
- 30 d) Ways and means of enabling the government accountants to avail themselves
31 of educational opportunities for personal growth and development;
- 32 e) Upgrading of working conditions, reclassification of position and salaries to
33 correct disparity vis-a-vis other professions.
- 34

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

4
5 **SEC. 23. *Prohibition Against Double Recovery of Benefits.*** - Whenever other
6 laws provide for the same benefits covered by this Act, the Government Accountant shall
7 have the option to choose which benefits will be paid to him except when such benefit is
8 considered part of an incentive package extended for the extra effort and/or time devoted
9 by the Government Accountant.

10
11 **SEC. 24. *Appropriations.*** - The amount necessary to implement the provision of
12 this Act is hereby authorized to be appropriated out of any funds not otherwise
13 appropriated. Thereafter, such sums shall be included in the General Appropriation of the
14 government agencies or instrumentalities concerned.

15
16 **SEC. 25. *Rules and Regulations.*** - The Civil Service Commission (CSC), in
17 consultation with the Association of Government Accountants of the Philippines
18 (AGAP), Inc. and such other professional organizations of government accountants, shall
19 promulgate necessary rules and regulations to implement the provisions of this Act.

20
21 **SEC. 26. *Separability Clause.*** - If any provision of this Act is declared
22 unconstitutional or invalid, the remainder thereof not affected thereby shall continue to be
23 in full force and effect.

24
25 **SEC. 27. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or
26 other issuance or parts thereof inconsistent with the provision of this Act are hereby
27 repealed, amended or modified accordingly.

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

Approved,