

1 **Republic of the Philippines**  
2 **Bangsamoro Autonomous Region in Muslim Mindanao**  
3 **BANGSAMORO TRANSITION AUTHORITY**  
4 **Cotabato City**

5  
6 \_\_\_\_\_ **Regular Session**

7  
8 Begun and held in the City of Cotabato, on \_\_\_\_\_  
9

10  
11 BANGSAMORO TRANSITION AUTHORITY ACT NO. \_\_\_\_\_  
12

13 **AN ACT PROVIDING FOR THE BANGSAMORO CIVIL SERVICE CODE**  
14 **OF THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO**  
15 **(BARM M)**  
16  
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18

19 **EXPLANATORY NOTE**  
20

21 Republic Act 11054, otherwise known as the Bangsamoro Organic Law (BOL),  
22 specifically mandated the Bangsamoro Transition Authority (BTA) to legislate  
23 priority legislations during the transition period.

24 Article VII, section 39 paragraph 2 states that: “the Bangsamoro Government  
25 shall enact a civil service law *Provided*, That it shall be in accordance with  
26 existing national laws. In case of conflict with the national laws, the  
27 Constitution and existing national civil service laws, rules and regulations shall  
28 prevail”.

29 In crafting the said Code, the BOL sets the parameters that would govern the  
30 following: (a) conduct of civil servants, (b) qualifications for non-elective  
31 positions, (c) adopting the merit and fitness system, (d) protection of civil  
32 service eligibles in various government positions, including government-owned  
33 or controlled corporations with original charters in the Bangsamoro  
34 Autonomous Region, and (e) disciplinary authority over its own officials and  
35 employees.

36 The BOL further reiterated the mandated functions and priorities that the  
37 Bangsamoro Transition Authority shall ensure to accomplish within the  
38 transition period. In particular, it enjoins the Bangsamoro Transition Authority  
39 to “enact a Bangsamoro Civil Service Code. as provided in this Organic Law,  
40 subject to the Constitutional mandate of the Civil Service Commission” (Article  
41 XVI, Section 4 paragraph 3).  
42  
43

1 These pertinent laws and issuances on civil service lay the legal framework in  
2 crafting our own **Bangsamoro Civil Service Code of 2020**, which would  
3 hopefully pave the way in helping professionalize and institutionalize the entire  
4 bureaucracy of the Bangsamoro Government.

5 By legislating this Code, the intent is to provide an effective instrument for  
6 good governance and responsive policies on human resource administration of  
7 the Bangsamoro Government by maintaining and/or improving existing  
8 national civil service rules, regulations and standards while addressing the  
9 legitimate needs and peculiarities of the Bangsamoro people in the region.

10 It bears great emphasis that this Bill particularly seeks to provide a favorable  
11 policy environment that would give chance to our qualified *mujahideen* to be  
12 considered for employment by the Bangsamoro Government during the  
13 transition period. This special provision is our humble gesture of recognizing  
14 the contributions of our *mujahideen* and *mujahidat* who have valiantly and  
15 unselfishly put their lives in the forefront of the Bangsamoro struggle for right  
16 to self-determination, social justice and equality. This time, however, we will  
17 pave the road for them to be part of our collective crusade for effective and  
18 peaceful governance of our region that has long been beset with conflicts and  
19 turmoil for decades.

20 In view of the foregoing, As Chair and main Author of this Bill, I enjoin the BTA  
21 Parliament to enact this priority legislation for us to help build a bureaucracy  
22 with utmost professionalism and higher standards.

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**HON. AIDA M. SILONGAN**  
Member, BTA Parliament/  
Author

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14 **OF THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO**  
15 **(BARMM)**

16  
17 Be it enacted by the Bangsamoro Transition Authority in a session  
18 assembled:  
19

20  
21 **BOOK I**  
22 **PRELIMINARY TITLE**  
23

24  
25 **Chapter I**  
26 **GENERAL PROVISIONS**  
27

28  
29 **Article 1.** *Title.* This Code shall be known as the Bangsamoro Civil  
30 Service Code of 2020.  
31

32 **Article 2.** *Basis.* The Bangsamoro Organic Law (RA 11054) provides  
33 that the Bangsamoro Government shall exercise its authority over the civil  
34 service without prejudice to the general supervision of the President of the  
35 Republic of the Philippines.  
36

37 The Bangsamoro Transition Authority (BTA) may enact a Bangsamoro  
38 Civil Service Code subject to the constitutional mandate of the Civil Service  
39 Commission (CSC).  
40

41 The Bangsamoro Government shall enact a civil service law provided  
42 that it shall be in accordance with existing national laws. In case of conflict  
43 with the national laws, the Constitution and existing national civil service laws,  
44 rules, and regulations shall prevail. This law shall govern the conduct of civil  
45 servants, the qualifications for non-elective positions, adopt the merit and  
46 fitness system, and protect civil service eligibles in various government

1 positions, including government-owned or controlled corporations with original  
2 charters in the Bangsamoro Autonomous Region. The Bangsamoro  
3 Government shall have disciplinary authority over its own officials and  
4 employees.

5  
6 The Civil Service Commission shall establish a regional Civil Service  
7 field office and other field offices as may be needed in the Bangsamoro  
8 Autonomous Region for the efficient performance of its powers and duties.

9  
10 **Article 3. Purpose.** The purpose of this Code is to provide an effective  
11 instrument for good governance and responsive policies on human resource  
12 administration of the Bangsamoro Government in accordance with the  
13 ministerial form of government provided for under the Bangsamoro Organic  
14 Law and relevant provisions of the Government of the Philippines-Moro Islamic  
15 Liberation Front (GPH-MILF) peace agreements.

16  
17 **Article 4. Declaration of Policy.** It shall be the policy of the Bangsamoro  
18 Government to insure and promote the constitutional mandate that  
19 appointment in the civil service shall be made according to merit and fitness, to  
20 provide within the public service a progressive system of personnel  
21 administration, and to adopt measures to promote morale and the highest  
22 degree of responsibility, morality, integrity, loyalty, efficiency, and  
23 professionalism in the civil service.

24  
25 It shall take cognizance of the aspirations of the Bangsamoro people  
26 and other inhabitants in the Bangsamoro Autonomous Region to chart a  
27 responsive, effective and efficient bureaucracy that will allow genuine and  
28 meaningful self-governance, and to establish an enduring peace on the basis of  
29 justice and balanced society, reflective of their system of life.

30  
31 There shall be no discrimination on employment opportunities on  
32 account of religion, culture, ethnicity, social orientation, or political affiliation.

33  
34 **Article 5. Nature of Public Office.** Public office is a public trust and a  
35 moral responsibility. Public officers and employees shall serve with the highest  
36 degree of responsibility, morality, integrity, loyalty, and efficiency, and shall  
37 remain accountable to the people.

38  
39 **Article 6. Definition of Terms.** As used in this Code, the following terms  
40 shall be construed as follows:

- 41  
42 a. "Agency" means any ministry, bureau, office, commission,  
43 administration, board, committee, institute, corporation, whether  
44 performing governmental or proprietary function, or any other unit  
45 of the Bangsamoro Autonomous Government, as well as provincial,

1 city or municipal government, except as hereinafter otherwise  
2 provided.

- 3
- 4 b. "Bangsamoro Government" refers to the corporate parliamentary  
5 entity through which the functions of government are exercised  
6 throughout the Bangsamoro Autonomous Region in Muslim  
7 Mindanao, including various arms through which the political  
8 authority is made effective, whether pertaining to the provincial,  
9 city, municipal or barangay local government.
- 10
- 11 c. "Bangsamoro Mufti" refers to the highest-ranking mufti in the  
12 Bangsamoro Autonomous Region in Muslim Mindanao.
- 13
- 14 d. "Chief Minister" refers to the head of the Bangsamoro Government  
15 elected by a majority vote of the Members of the Parliament.
- 16
- 17 e. "Civil Servant" includes public officials and employees, elective and  
18 appointive, permanent or temporary, whether in the career or non-  
19 career service, including military and police personnel, whether or  
20 not they receive compensation, regardless of amount.
- 21
- 22 f. "Civil Service" embraces all branches, subdivisions,  
23 instrumentalities, ministries, offices and agencies of the  
24 Bangsamoro Government including government-owned or controlled  
25 corporations with original charter in the Bangsamoro Autonomous  
26 Region.
- 27
- 28 g. "Civil Service Commission – Bangsamoro Autonomous Region in  
29 Muslim Mindanao (CSC-BARMM)" refers to the Civil Service  
30 Commission regional field office to include other field offices as  
31 provided under Section 39, Article VII of R.A. No. 11054.
- 32
- 33 h. "Commission" refers to the Civil Service Commission as the central  
34 personnel agency of the Philippine Government.
- 35
- 36 i. "Eligible" refers to a person who obtains a passing grade in a civil  
37 service examination or is granted a civil service eligibility and whose  
38 name is entered in the register of eligibles in the Civil Service  
39 Commission.
- 40
- 41 j. "Examination" refers to a civil service examination conducted by the  
42 Civil Service Commission.
- 43
- 44 k. "Gift" refers to a thing or a right to dispose of gratuitously, or any  
45 act or liberality, in favor of another who accepts it, and shall include  
46 a simulated sale or an ostensibly onerous disposition thereof.

- 1  
2 1. "Government Service" refers to the process or transaction between  
3 applicants or requesting parties and government offices or agencies  
4 involving applications for any privilege, right, reward, license,  
5 clearance, permit or authorization, concession, or for any  
6 modification, renewal or extension of the enumerated applications or  
7 requests which are acted upon in the ordinary course of business of  
8 the agency or office concerned.  
9
- 10 m. "Highly Technical Position" a position which requires the use of  
11 technical knowledge, specialized skills and/or training.  
12
- 13 n. "Madaris Education" refers to the recognized types or category of  
14 Madrasah in the BARMM such as Traditional Madrasah, Formal  
15 Madrasah, and Standard Private Madrasah as may be defined by the  
16 Bangsamoro Education Code.  
17
- 18 o. "Ministry" refers to any of the executive governmental department of  
19 the Bangsamoro Government headed by a minister.  
20
- 21 p. "Morality" refers to the ethical standard in conformity with the ideals  
22 of right human conduct.  
23
- 24 q. "Mujahideen" refers to the legitimate members (women and men) of  
25 the Moro Islamic Liberation Front (MILF) and the Moro National  
26 Liberation Front (MNLF) duly certified by the Chairman of their  
27 respective central committee.  
28
- 29 r. "Senior Deputy Chief Minister" refers to one of the deputies of the  
30 Chief Minister who is senior in age.  
31  
32

33 **Chapter II**  
34 **SCOPE OF THE BANGSAMORO CIVIL SERVICE**  
35

36 **Article 7.** *Positions Embraced in the Bangsamoro Civil Service.* The  
37 Bangsamoro Civil Service embraces all public positions in every branch,  
38 ministry, agency, subdivision, and instrumentality of the Bangsamoro  
39 Government, including government-owned or controlled corporations with  
40 original charters in the Bangsamoro Autonomous Region.  
41

42 Positions in the Bangsamoro Civil Service shall be classified into career  
43 service and non-career service as defined by existing civil service laws, rules  
44 and regulations.  
45

1           **Article 8. Career Service.** The Bangsamoro Career Service shall be  
2 characterized by (1) entrance based on merit and fitness to be determined as  
3 far as practicable by competitive examinations, but does not apply to  
4 appointments to positions which are policy determining, primarily confidential,  
5 or highly technical qualifications; (2) opportunity for advancement to higher  
6 career positions; and (3) security of tenure.

7  
8           The Bangsamoro Career Service shall include:

- 9
- 10           1. Open Career positions for appointment to which prior qualification  
11           in an appropriate examination is required;
  - 12
  - 13           2. Closed Career positions which are scientific or highly technical in  
14           nature; these include the faculty and academic staff of state colleges  
15           and universities, and scientific and technical positions in scientific  
16           or research institutions which shall establish and maintain their  
17           own merit systems;
  - 18
  - 19           3. Other positions in the Bangsamoro Autonomous Region in Muslim  
20           Mindanao (BARMM). These include Bangsamoro Director General  
21           and other positions that may be created by the Bangsamoro  
22           Parliament;
  - 23
  - 24           4. Personnel of government-owned or controlled corporations, whether  
25           performing governmental or proprietary functions, who do not fall  
26           under the non-career service; and,
  - 27
  - 28           5. Permanent laborers, whether skilled, semi-skilled, or unskilled.

29

30           **Article 9. Non-Career Service.** The Bangsamoro Non-Career Service  
31 shall be characterized by (1) entrance on bases other than those of the usual  
32 tests of merit and fitness utilized for the career service; and (2) tenure which is  
33 limited to a period specified by law, or which is coterminous with that of the  
34 appointing authority or subject to his pleasure, or which is limited to the  
35 duration of a particular project for which purpose employment was made.

36  
37           The Bangsamoro Non-Career Service shall include:

- 38
- 39           1. Elective officials and their personal or confidential staff;
  - 40
  - 41           2. Ministers and other officials of cabinet rank who hold positions at  
42           the pleasure of the Chief Minister and their personal or confidential  
43           staff;
  - 44
  - 45           3. Chairman and members of commissions and boards with fixed  
46           terms of office and their personal or confidential staff;

- 1  
2 4. Contractual personnel or those whose employment in the  
3 Bangsamoro Autonomous Government is in accordance with a  
4 special contract to undertake a specific work or job, requiring  
5 special or technical skills not available in the employing agency, to  
6 be accomplished within a specific period, which in no case shall  
7 exceed one year, and performs or accomplishes the specific work or  
8 job, under his own responsibility with a minimum of direction and  
9 supervision from the hiring agency;  
10  
11 5. Positions which are policy determining or primarily confidential; and  
12  
13 6. Emergency and seasonal personnel.  
14

15  
16 **Chapter III**  
17 **HUMAN RESOURCE POLICIES AND STANDARDS**  
18

19 **Article 10. Recruitment and Selection of Employees.** (1) Opportunity for  
20 government employment shall be open to all qualified citizens, preferably  
21 residents of the region for regional employment or of the province for provincial  
22 employment, or Bangsamoro as defined in R.A. No. 11054 (Bangsamoro  
23 Organic Law). Positive efforts shall be exerted to attract the best qualified  
24 residents of the Bangsamoro Autonomous region to enter the service.  
25 Employees shall be selected on the basis of fitness to perform the duties and  
26 assume the responsibilities of the positions.  
27

28 **Article 11. Vacancy.** When a vacancy occurs in a position in the first  
29 level of the Career Service as defined in Article 8, the employees in the  
30 ministry, office or agency who occupy the next lower positions in the  
31 occupational group under which the vacant position is classified, and in other  
32 functionally related occupational groups and who are competent, qualified and  
33 with the appropriate civil service eligibility shall be considered for promotion.  
34

35 When a vacancy occurs in a position in the second level of the Career  
36 Service as defined in Article 8, the employees in the government service who  
37 occupy the next lower positions in the occupational group under which the  
38 vacant position is classified and in other functionally related occupational  
39 groups and who are competent, qualified and with the appropriate civil service  
40 eligibility shall be considered for promotion.  
41

42 If the vacancy is not filled by promotion as provided herein the same  
43 shall be filled by transfer of present employees in the government service, by  
44 reinstatement, by re-employment of persons separated through reduction in  
45 force, or by appointment of persons with the civil service eligibility appropriate  
46 to the positions.



1  
2       **Article 12. Screening Process.** For purposes of this Chapter, each  
3 ministry or agency shall evolve its own screening process, which may include  
4 tests of fitness, in accordance with standards and guidelines set by the Civil  
5 Service Commission. Promotion boards shall be formed to formulate criteria for  
6 evaluation, conduct tests or interviews, and make systematic assessment of  
7 training experience.  
8

9       **Article 13. When Appropriate Examinations Required.** Qualification in  
10 an appropriate examination shall be required for appointment to positions in  
11 the first and second levels in the career service in accordance with the Civil  
12 Service rules, except as otherwise provided by law: *Provided*, that whenever  
13 there is a civil service eligible actually available for appointment, no person  
14 who is not such an eligible shall be appointed even in a temporary capacity to  
15 any vacant position in the career service in the government or in any  
16 government-owned or controlled corporation with original charter, except when  
17 the immediate filling of the vacancy is urgently required in the public interest,  
18 or when the vacancy is not permanent, in which cases temporary appointments  
19 of non-eligibles may be made in the absence of eligibles actually and  
20 immediately available.  
21

22       The appropriate examinations herein referred to shall be those given by  
23 the Commission and the different agencies: *provided*, that a person with a civil  
24 service eligibility acquired by successfully passing an examination shall be  
25 qualified for a position requiring a lower eligibility if he possesses the other  
26 requirements for appointment to such position.  
27

28       **Article 14. Special Examinations for Indigenous Peoples in the BARMM.**  
29 In line with the Bangsamoro Government's policy to promote inclusivity for  
30 Moro and non-Moro indigenous peoples and accelerate the development of the  
31 areas occupied by them, special examinations for Indigenous Peoples may be  
32 requested by the Bangsamoro Government.  
33

34       **Article 15. Reduction in Force.** Whenever it becomes necessary because  
35 of lack of work or funds or due to a change in the scope or nature of a ministry,  
36 office or agency's program, or as a result of reorganization, to reduce the staff  
37 of any ministry, office or agency, those in the same group or class of positions  
38 in one or more agencies within the particular ministry or agency wherein the  
39 reduction is to be effected, shall be reasonably compared in terms of relative  
40 fitness, efficiency and length of service, and those found to be least qualified for  
41 the remaining positions shall be laid off.  
42

43       **Article 16. Career and Human Resource Development.** The development  
44 and retention of a competent and efficient work force in the public service is a  
45 primary concern of Bangsamoro Government. It shall be the policy of the

1 Bangsamoro Government that a continuing program of career and human  
2 resource development in BARMM shall serve as the basis for all career and  
3 personnel development activities in the Bangsamoro Government.  
4

5 **Article 17.** *Career and Human Resource Development Plans.* Each  
6 ministry or agency shall prepare a career and personnel development plan.  
7 Such career and personnel development plan shall include provisions on merit  
8 promotions, performance evaluation, in-service training, including overseas  
9 and local scholarships and training grants, job rotation, suggestions and  
10 incentive award systems, and such other provisions for employees' health,  
11 welfare, counseling, recreation and similar services.  
12

13 **Article 18.** *Inspection and Audit.* The CSC-BARMM, through its  
14 designated representatives, shall conduct a periodic inspection and audit of the  
15 personnel management program of each ministry, agency, province or city, in  
16 order to: (a) determine compliance with this Code, rules and standards; (b)  
17 review the discharge of delegated authority; (c) make an adequate evaluation of  
18 the progress made and problems encountered in the conduct of the merit  
19 system in the Bangsamoro Government including Bangsamoro Government-  
20 owned or controlled corporations; (d) give advice and provide assistance in  
21 developing constructive policies, standards and procedures, and (e) stimulate  
22 improvement in all areas of personnel management.  
23

24 Periodic inspection and audit will include an appraisal of personnel  
25 management operations and activities relative to: (a) formulation and issuance  
26 of personnel policy; (b) recruitment and selection of employees; (c) personnel  
27 action and employment status; (d) career and employee development; (e)  
28 performance evaluation system; (f) employee suggestions and incentive award;  
29 (g) employee relations and services; (h) discipline; (i) personnel records and  
30 reporting; and (j) program evaluation.  
31

32 **Article 19.** *Complaints and Grievances.* Employees shall have the right  
33 to present their complaints or grievances to management and have them  
34 adjudicated as expeditiously as possible in the best interest of the agency, the  
35 government as a whole, and the employee concerned. Such complaint or  
36 grievances shall be resolved at the lowest possible level in the ministry or  
37 agency, as the case may be, and the employee shall have the right to appeal  
38 such decision to higher authorities.  
39

40 The Bangsamoro Government shall promulgate rules and regulations  
41 governing expeditious, fair, and equitable adjustment of employees' complaints  
42 or grievances in accordance with the policies enunciated by the Commission.  
43

44 **Article 20.** *Employee Suggestions System.* There shall be established a  
45 region-wide employee suggestions system which shall be administered under

1 such rules, regulations, and standards as may be promulgated by the  
2 Bangsamoro Government.

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10 **BOOK II**  
11 **QUALIFICATIONS OF NON-ELECTIVE POSITIONS**

12 **Chapter I**  
13 **GENERAL POLICIES AND PROCEDURES ON APPOINTMENTS**

14  
15 **Article 21.** *General Policies on Appointment.* The Bangsamoro  
16 Government shall ensure and promote the constitutional mandate that  
17 appointments in the Civil Service shall be made only according to merit and  
18 fitness. Merit and fitness shall be determined, as far as practicable, by  
19 competitive examinations. This does not apply to appointments to positions  
20 which are policy determining, primarily confidential, or highly technical.

21  
22 **Article 22.** *Human Resource Action.* Any action denoting the movement  
23 or progress of human resource in the civil service such as promotion, transfer,  
24 reappointment, reinstatement, reemployment, reclassification, detail,  
25 reassignment, secondment, demotion and separation shall be known as human  
26 resource action.

27  
28 **Article 23.** *Procedures in the preparation of appointments.* The following  
29 procedures shall be strictly observed in the preparation of appointments for  
30 authorized positions found in the Plantilla of Personnel and lump sum  
31 appropriation for contractual employees:

- 32  
33 a. *Appointment Form.* The appointment form, which shall be in the  
34 prescribed CSC form, shall be used for appointments in the career  
35 and non-career service except those for casual appointments. The  
36 same may be translated to Arabic. The appointment must be  
37 prepared in three (3) original copies: one copy each for the  
38 appointee, for the CSC and for the agency.

39  
40 The following items in the appointment form shall be properly  
41 filled in, as follows:

- 42  
43 1. *Name of the Appointee.* The name indicated on the  
44 appointment must be the same name appearing in the Certificate  
45 of Live Birth submitted by the appointee and the Certificate of

1 Marriage, in the case of a married female employee who opts to  
2 use the surname of her husband. The name of the appointee  
3 should be written in the following format: first name, middle  
4 name or initial, last name and name extension, if any.  
5

6 2. *Position Title, Salary/Job/Pay Grade and Step.* The position  
7 title, salary/job/pay grade and step (if applicable) indicated in the  
8 appointment shall conform to the approved Plantilla of Personnel  
9 and should be found in the Index of Occupational Services (IOS),  
10 Position Titles and Salary Grades. The parenthetical title, if any,  
11 and salary/job/pay grade of the position shall be indicated after  
12 the position title. The parenthetical position title refers to the  
13 position title based on the actual duties and responsibilities in the  
14 Position Description Form and shall be the basis for the  
15 qualification standards.  
16

17 3. *Employment Status.* The employment status shall be  
18 indicated on the space provided therefor. It may be permanent,  
19 temporary, coterminous, fixed term, contractual, substitute, or  
20 provisional. For contractual appointment, the duration of  
21 employment shall be indicated on the space provided for the  
22 Status of Appointment.  
23

24 4. *Ministry or Agency.* The name of the ministry or agency shall  
25 be indicated in the appointment form. For station-specific  
26 appointments, the name of office or unit shall be indicated.  
27

28 5. *Compensation Rate.* The corresponding amount of the  
29 monthly salary of the position based on the salary/job/pay grade  
30 and salary step thereof shall be indicated.  
31

32 6. *Nature of Appointment.* The nature of appointment, which  
33 may be original, promotion, transfer, reemployment,  
34 reappointment, reinstatement, reclassification, or demotion, shall  
35 be indicated on the space provided therefor.  
36

37 7. *Plantilla Information.* The name of the employee being  
38 replaced by the appointee should be indicated on the space  
39 provided, in addition to the Plantilla Item Number of the position  
40 and the page where the position can be found in the approved  
41 Plantilla of Personnel in the current year.  
42

43 8. *Signature of the Appointing Officer/Authority.* The three (3)  
44 original copies of the appointment must be duly signed by the  
45 appointing officer/authority. The appointing officer/authority is

1 the person or body authorized by law to make appointments in  
2 the Philippine Civil Service.

3  
4 In case the appointing officer/authority delegates the authority to  
5 issue appointments to a next-in-rank official in the same agency,  
6 as authorized by law, a copy of the Office/Board Resolution or  
7 Order for the said purpose shall be submitted to the CSC-  
8 BARMM.

9  
10 In no case shall digital/electronic or rubber-stamped signature of  
11 the appointing officer/authority on the appointment be allowed.

12  
13 9. *Date of Signing.* The date of signing, which is the date of the  
14 issuance and the date of effectivity of the appointment, shall be  
15 indicated below the signature of the appointing officer/authority.

16  
17 10. *Certification as to the Completeness and Authenticity of the*  
18 *Requirements.* The HRMO shall thoroughly review and check the  
19 veracity, authenticity and completeness of all the requirements.

20  
21 11. *Certification of Publication and Posting of Vacancy.* Vacant  
22 positions authorized to be filled shall be published and posted in  
23 at least three (3) conspicuous places for a period of at least ten  
24 (10) calendar days for national government agencies (NGAs), state  
25 universities and colleges (SUCs), and government-owned or  
26 controlled corporations (GOCCs) with original charters in  
27 accordance with RA No. 7041 and its implementing guidelines,  
28 and not less than fifteen (15) calendar days for local government  
29 units pursuant to Section 80(a), Title Three, Book I, RA No. 7160,  
30 and Chapter IV Book II hereof.

31  
32 The certification on the publication and posting of the vacant  
33 position including the date the deliberation was conducted by the  
34 Bangsamoro Promotion and Selection Board should be duly  
35 signed by the authorized HRMO.

36  
37 12. *Certification of Bangsamoro Promotion and Selection Board*  
38 *(BPSB) Evaluation/Screening.* All appointees should be screened  
39 and evaluated by the BPSB, if applicable. As proof thereof, a  
40 certification signed by the Chairperson of the BPSB at the back of  
41 the appointment specifying that the majority of the BPSB  
42 members was present during the deliberation or alternatively, a  
43 copy of the proceedings/minutes of the BPSB deliberation shall be  
44 submitted together with the appointment. The BPSB deliberation  
45 in the NGAs, GOCCs with original charters, and SUCs (for their

1 administrative and support staff) shall commence not earlier than  
2 ten (10) calendar days from the date of posting and publication of  
3 vacant positions; and in the local government units (LGUs) it shall  
4 not be made earlier than fifteen (15) calendar days from the date  
5 of posting and publication of vacant positions.  
6

7 13. *Certification by the Placement Committee.* Reappointment to a  
8 comparable position as a result of reorganization pursuant to RA  
9 No. 6656 or other laws shall be assessed by the Placement  
10 Committee. As proof thereof, a certification shall be signed by the  
11 Chairperson of the Placement Committee at the back of the  
12 appointment.  
13

14 b. *Personal Data Sheet.* The Personal Data Sheet (PDS), as  
15 prescribed by CSC, updated and accomplished properly and  
16 completely by the appointee, shall be attached to the  
17 appointment. Said PDS shall contain an authorization from the  
18 employee that the CSC, ministry, office or agency head or their  
19 authorized representative can verify/validate the contents therein.  
20 It shall also be subscribed and sworn to before the HRMO or  
21 his/her authorized official in the agency, any officer authorized to  
22 administer oaths or a notary public. The PDS may be  
23 accomplished by the appointee either through his/her own  
24 handwriting or via typewriter/computer and must bear his/her  
25 signature on every page with a passport-size ID picture taken  
26 within the last six (6) months attached at the last page thereof.  
27

28 c. *Position Description Form.* The Position Description Form, as  
29 prescribed by DBM and CSC, properly and completely  
30 accomplished, shall be attached to all appointments for  
31 authorized positions found in the Plantilla of Personnel and lump  
32 sum appropriation for contractual employees.  
33

34 **Article 24.** *Procedure in the Preparation of Casual Appointments.* The  
35 following procedures shall be strictly observed in the preparation of casual  
36 appointments:  
37

38 a. *Appointment Form.* The Plantilla of Casual Appointment shall be in  
39 the CSC prescribed form. The appointment must be prepared in  
40 three (3) original copies (appointee's copy, CSC copy and agency  
41 copy). A maximum of fifteen (15) names of appointees, arranged  
42 alphabetically, shall be indicated in every page thereof.  
43

44 b. *Source of Funds.* The source of funds for casual appointment shall  
45 always be indicated on the space provided.

1  
2 c. *Name of Appointee/s.* The name indicated on the appointment must  
3 be the same name appearing in the Certificate of Live Birth  
4 submitted by each of the appointee and the Certificate of Marriage,  
5 in the case of a married female appointee who opts to use the  
6 surname of her husband. The name of the appointee should be  
7 written in the following format: last name, first name, name  
8 extension (if any), and middle name or initial.  
9

10 Only a maximum of fifteen (15) appointees must be listed on each  
11 page of the Plantilla of Casual Appointments. The HRMO must also  
12 indicate 'NOTHING FOLLOWS' on the row following the name of the  
13 last appointee on the last page of the Plantilla. The agency HRMO  
14 should provide proper pagination (Page n of n page/s).  
15

16 d. *Position Title.* The position title indicated in the appointment should  
17 be found in the IOS. The salary/job/pay grade, level of position, and  
18 the corresponding compensation rate per day for each appointee  
19 listed in the Plantilla of Casual Appointment shall always be  
20 indicated.  
21

22 e. *Period of Employment.* The period of employment, which shall be the  
23 duration of the casual appointment of each appointee listed in the  
24 Plantilla of Casual Appointment shall be indicated in the following  
25 format: month, day and year (e.g. From: 07/01/2017 To:  
26 12/31/2017).  
27

28 f. *Nature of Appointment.* The nature of appointment, such as original,  
29 reappointment or reemployment shall be indicated on the space  
30 provided.  
31

32 g. *Signature of the Appointing Officer/Authority.* The three (3) original  
33 copies of the appointment must be duly signed by the appointing  
34 officer/authority. The appointing officer/authority is the person or  
35 body authorized by law to make appointments in the Philippine Civil  
36 Service.  
37

38 In case the appointing officer/authority delegates the authority to  
39 issue appointments to a next-in-rank official in the same agency, as  
40 authorized by law, a copy of the Bangsamoro Autonomy Act for the  
41 said purpose shall be furnished to the CSC-BARMM.  
42

43 In no case shall digital/electronic or rubber-stamped signature of  
44 the appointing officer/authority on the appointment be allowed.  
45

1 h. *Date of Signing.* The date of signing, which is the date of the  
2 issuance and the date of effectivity of the appointment, shall be  
3 indicated below the signature of the appointing officer/authority.  
4

5 i. *Certification as to the Completeness and Authenticity of the*  
6 *Requirements.* The HRMO shall thoroughly review and check the  
7 veracity, authenticity and completeness of all the requirements and  
8 documents in support of the appointment. He/she shall sign the  
9 certification at the lower portion of the appointment.  
10

11 j. *Certification (For LGUs).* The Provincial/City/Municipal Accountant  
12 shall certify that funds are available for the subject appointment/s.  
13

14 The appointing officer/authority shall certify that such appointment  
15 is issued in accordance with the limitations provided under Section  
16 325 of the Local Government Code of 1991 (RA No. 7160).  
17

18 In case the Local Accountant position is vacant, the Local Assistant  
19 Accountant shall sign the certification. In the absence of such  
20 position, the Local Chief Executive may designate the Local Budget  
21 Officer to certify the availability of funds. The delegation should be  
22 supported by an Office Order, a copy of which should be furnished  
23 the CSC-BARMM.  
24

25 k. *Personal Data Sheet (PDS).* The PDS, as prescribed by CSC,  
26 completed by the appointee, subject to the requirements of Item b,  
27 Article 23 of this Book shall be attached to the Plantilla of Casual  
28 Appointments. The PDS need not be attached to the appointment  
29 involving Reappointment (renewal).  
30

## 31 32 **CHAPTER II** 33 **EMPLOYMENT STATUS** 34

35 **Article 25.** *Employment Status.* The employment status in the civil  
36 service shall be determined by the appointment issued, which can be any of the  
37 following: permanent, temporary, substitute, coterminous, fixed term,  
38 contractual, and casual.  
39

40 **Article 26.** *Permanent.* Permanent appointment is issued to a person  
41 who meets all the qualification requirements of the position to which he/she is  
42 being appointed to, including the appropriate eligibility, in accordance with the  
43 provisions of law, rules and standards promulgated in pursuance thereof.  
44



1           **Article 27. Temporary.** Temporary appointment is issued to a person  
2 who meets the education, experience and training requirements for the position  
3 to which he/she is being appointed to, except for the appropriate eligibility. A  
4 temporary appointment may only be issued in the absence of an applicant who  
5 meets all the qualification requirements of the position as certified by the  
6 appointing officer/authority. The appointment shall not exceed twelve (12)  
7 months, reckoned from the date it was issued but the appointee may be  
8 replaced sooner if a qualified eligible who is willing to accept the appointment  
9 becomes actually available.

10  
11           However, in no case shall a temporary appointment be issued for  
12 position that involve practice of profession regulated by bar/board law for lack  
13 of the required license and/or certificate of registration.

14  
15           A temporary appointment issued to a person who does not meet any of  
16 the education, training or experience requirements for the position shall be  
17 disapproved/invalidated except to positions that are hard to fill, or other  
18 meritorious cases as may be determined by the Commission, or as provided by  
19 special law, such as Medical Officer/Specialist positions, Special Science  
20 Teacher, and Faculty positions. Except for these positions, temporary  
21 appointments may only be renewed once.

22  
23           A temporary appointment to a position which involves practice of  
24 profession may be issued to a person who lacks the required experience or  
25 training but only in the absence of an applicant who meets all the qualification  
26 requirements of the position as certified by the appointing officer/authority.

27  
28           When there are no available qualified faculty in the region, place or  
29 locality, as certified by the appointing officer/authority, temporary  
30 appointments may be issued until the required Master's degree is  
31 met/complied with. The renewal of temporary appointment shall be limited to  
32 five (5) times only reckoned from the effectivity of CSC Memorandum Circular  
33 No. 25, s. 2017.

34  
35           A temporary appointment issued to a person who meets all the  
36 requirements of the position shall be disapproved/invalidated.

37  
38           **Article 28. Substitute.** Substitute appointment is issued when the  
39 regular incumbent of a position is temporarily unable to perform the duties of  
40 the position, as when the incumbent is on an approved leave of absence, under  
41 suspension, on a scholarship grant or is on secondment. This is effective only  
42 until the return of the incumbent. A substitute appointment is allowed only if  
43 the leave of absence of the incumbent is at least three (3) months, except in the  
44 case of teachers.

1 A person who is issued a substitute appointment to a position whose  
2 duties involve practice of a profession covered by Bar/Board or special laws  
3 shall be required to possess the appropriate professional license. The  
4 substitute appointee shall be entitled to the salaries and benefits attached to  
5 the position except for those benefits requiring longer period of service for the  
6 availment thereof.

7  
8 **Article 29. Coterminous.** Coterminous appointment is issued to a  
9 person whose tenure is limited to a period specified by law or whose continuity  
10 in the service is based on the trust and confidence of the appointing  
11 officer/authority or of the head of the organizational unit where assigned.  
12 Specifically, the categories of coterminous appointments are:

- 13  
14 1. *Coterminous with the appointing officer/authority* — an  
15 appointment is coexistent with the term/tenure of the appointing  
16 officer/authority.  
17  
18 2. *Coterminous with the head of the organizational unit where*  
19 *assigned an appointment* is coexistent with the term/tenure of the  
20 head of the organizational unit to which he/she is assigned, who is  
21 not the appointing officer/authority.  
22

23 Appointees to coterminous positions that are not primarily  
24 confidential in nature (items 1 and 2) must meet the education,  
25 training and experience requirements of the positions as proposed  
26 by the respective Agency Heads and approved by the Commission.  
27 Pending the submission and approval of the agency qualification  
28 standards, the qualification requirements provided under the CSC  
29 Qualification Standards Manual shall be used as bases in the  
30 attestation of these coterminous appointments.

31  
32 Eligibility is not required for appointment, except those whose  
33 duties involve the practice of a profession regulated by the  
34 Philippine Bar/Board or special laws and/or require licenses such  
35 as those positions listed under Category IV of CSC MC No. 11, s.  
36 1996, as amended, but preference should be given to civil service  
37 eligibles.

- 38  
39 3. *Coterminous (primarily confidential in nature)* — an appointment to  
40 positions determined by law or declared by the Commission to be  
41 primarily confidential in nature, the duties and responsibilities of  
42 which imply not only confidence in the aptitude of the appointees  
43 but primarily close intimacy which insures freedom of discussion,  
44 delegation and reporting without embarrassment or freedom from  
45 misgivings or betrayals of personal trust. Appointees to primarily

1 confidential positions are exempt from the qualification  
2 requirements, except those whose duties involve the practice of a  
3 profession regulated by the Philippine Bar/Board or special laws  
4 and/or require licenses.  
5

- 6 4. *Coterminous with the Lifespan of the Agency* — appointment to a  
7 position which is co-existent with the lifespan of the agency based  
8 on the agency's Staffing Pattern as approved by the DBM or the  
9 GCG.

10  
11 Appointments to positions which are coterminous with the lifespan  
12 of the agency need not be renewed annually. The lifespan of the  
13 agency shall be indicated on the appointment. However, if the  
14 performance of the appointee is below Satisfactory, the appointing  
15 officer/authority may terminate the services of, or replace the  
16 appointee after giving the latter a notice of at least thirty (30) days  
17 prior to the date of termination of the appointment.  
18

19 Employees whose appointments are coterminous with the lifespan  
20 of the agency must meet the education, experience and training  
21 requirements of the positions as proposed by the respective Agency  
22 Heads and approved by the Commission. Pending the submission  
23 and approval of the agency qualification standards, the  
24 qualification requirements provided under the CSC Qualification  
25 Standards Manual shall be used as bases in the attestation of  
26 these coterminous appointments.  
27

28 Eligibility is not required for coterminous appointment, except  
29 those whose duties involve the practice of a profession regulated by  
30 the Philippine Bar/Board or special laws and/or require licenses  
31 such as those positions listed under Category IV of CSC MC No.  
32 11, s. 1996, as amended, but preference shall be given to civil  
33 service eligibles.  
34

35 **Article 30. Fixed Term.** Fixed term appointment is issued to a person  
36 with a specified term of office, subject to reappointment as provided by law,  
37 such as Chairperson and members of commissions and boards, SUC President,  
38 and Head of Agency appointed by the Board.  
39

40 **Article 31. Contractual.** Contractual appointment is issued to a person  
41 whose employment in the government is in accordance with a special contract  
42 to undertake local or foreign-assisted projects or a specific work or job  
43 requiring special or technical skills not available in the employing agency, to be  
44 accomplished within a specific period. This includes appointments to positions  
45 that are co-existent with the duration of a particular project based on the  
46 agency's Staffing Pattern as approved by the DBM or the GCG. The inclusive

1 period of the contractual appointment shall be indicated on the face of the  
2 appointment for purposes of crediting services.

3  
4 Contractual appointments are limited to one year, but may be renewed  
5 every year, based on performance, until the completion of the project or specific  
6 work. However, if the performance of the appointee is below satisfactory or  
7 where the funds have become insufficient or unavailable, the appointing  
8 officer/authority may terminate the services of, or replace, the appointee after  
9 giving the latter a notice at least 30 days prior to the date of termination of  
10 appointment.

11  
12 Employees under contractual appointment must meet the education,  
13 training and experience requirements of the positions as proposed by the  
14 respective Agency Heads and approved by the Commission. Pending the  
15 submission and approval of the agency qualification standards, the  
16 qualification requirements provided under the CSC Qualification Standards  
17 Manual shall be used as bases in the attestation of these contractual  
18 appointments.

19  
20 Eligibility is not required for appointment, except those whose duties  
21 involve the practice of a profession regulated by the Philippine Bar/Board or  
22 special laws and/or require licenses such as those positions listed under  
23 Category IV of CSC MC No. 11, s. 1996, as amended, but preference should be  
24 given to civil service eligibles.

25  
26 The appointee shall perform the work or job under his/her own  
27 responsibility with minimal direction and supervision from the employing  
28 agency.

29  
30 In no case shall a contractual appointment be issued to fill a vacant  
31 plantilla position or a contractual employee perform the duties and  
32 responsibilities of the vacant plantilla position.

33  
34 Reappointment (renewal) of contractual appointments to the same  
35 position shall be submitted to the CSC for notation only, without the need for  
36 approval/validation. However, reappointment of contractual appointments to  
37 another position shall be submitted for approval/validation by the CSC-  
38 BARMM.

39  
40 **Article 32. Casual.** Casual appointment is issued only for essential and  
41 necessary services where there are not enough regular staff to meet the  
42 demands of the service and for emergency cases and intermittent period not to  
43 exceed one year.

44  
45 Employees under casual appointment must meet the education,  
46 training and experience requirements of the positions as proposed by the

1 respective Agency Heads and approved by the Commission. Pending the  
2 submission and approval of the agency qualification standards, the  
3 qualification requirements provided under the CSC Qualification Standards  
4 Manual shall be used as bases in the attestation of these casual appointments.  
5 Eligibility is not required for appointment, except those whose duties involve  
6 the practice of a profession regulated by the Philippine Bar/Board or special  
7 laws and/or require licenses such as those positions listed under Category IV  
8 of CSC MC No. 11, s. 1996, as amended, but preference should be given to civil  
9 service eligibles.

10  
11 In no case shall a casual appointment be issued to fill a vacant plantilla  
12 position or a casual employee perform the duties and responsibilities of the  
13 vacant plantilla position.

14  
15 Reappointment (renewal) of casual appointments to the same position  
16 shall be submitted to the CSC for notation only, without the need for  
17 approval/validation. However, reappointment of casual appointments to  
18 another position shall be submitted for approval/validation by the CSC-  
19 BARMM.

20  
21 Employees under contractual or casual appointment are entitled to the  
22 same benefits enjoyed by regular employees.

23  
24 **Article 33. *Employment Status of Teachers.*** The employment status of  
25 teachers to any teaching position shall be any of the following:

- 26  
27 a. Permanent — an appointment issued to an appointee who meets all  
28 the requirements of the position.  
29  
30 b. Provisional — an appointment issued to an appointee who meets  
31 all the requirements of the position except the eligibility but only in  
32 the absence of a qualified eligible actually available who is willing to  
33 accept the appointment, as certified by the Schools Division  
34 Superintendent. It shall not be effective beyond the school year  
35 during which it was issued. The appointment may be subject to  
36 reappointment (renewal). Scholar- graduates of the Merit  
37 Scholarship Program of the Department of Science and Technology -  
38 Science Education Institute (DOST-SEI) shall be allowed to teach on  
39 provisional status, which appointment may be renewed every school  
40 year but not to exceed four (4) years.  
41  
42 c. Temporary — an appointment issued to an appointee who meets all  
43 the requirements of the position except the education but only in  
44 the absence of applicants who possess the minimum educational  
45 qualification, as certified by the Schools Division Superintendent. It

1 shall not be effective beyond the school year during which it was  
2 issued. The appointment may be subject to reappointment (renewal).

- 3  
4 d. Substitute —an appointment issued to an appointee when the  
5 regular incumbent of the position is temporarily unable to perform  
6 the duties of the position. It shall be effective until the return of the  
7 incumbent.

8  
9 Appointees to substitute teaching positions shall be required to  
10 possess RA No. 1080 (Teacher) eligibility.

- 11  
12 e. Contractual — an appointment issued to an appointee who shall  
13 teach specialized subjects in secondary education on part-time  
14 basis. The inclusive period shall be indicated on the appointment for  
15 purposes of crediting services.

16  
17 Appointees to contractual teaching positions for specialized subjects  
18 shall not be required to possess RA No. 1080 (Teacher) eligibility.

19  
20 **Article 34. *Nature of Appointment.*** The nature of appointment shall be,  
21 as follows: original, promotion, transfer, reemployment, reappointment,  
22 reinstatement, demotion and reclassification.

23  
24 **Article 35. *Original.*** Original appointment is the initial entry into the  
25 career or non-career service.

26  
27 **Article 36. *Promotion.*** Promotion is the advancement of a career  
28 employee from one position to another with an increase in duties and  
29 responsibilities as authorized by law, and usually accompanied by an increase  
30 in salary. Promotion may be from one department or agency to another or from  
31 one organizational unit to another within the same department or agency.  
32 Provided, however, that any upward movement from the non-career service to  
33 the career service and vice versa shall not be considered as a promotion but as  
34 reappointment.

35  
36 An employee who is promoted to another agency shall notify the head of  
37 the department or agency in writing where he/she is employed at least thirty  
38 (30) days prior to his/her assumption to the position. It is understood that the  
39 employee who is promoted to another agency is cleared from all money,  
40 property and work-related accountabilities.

41  
42 The pendency of an administrative case against any employee shall not  
43 be a bar to promotion.

44  
45 An employee who has been found guilty of an administrative offense  
46 and imposed the penalty of demotion, suspension or fine shall be disqualified

1 for promotion for the same period of suspension or fine. In the case of  
2 demotion, the period of disqualification for promotion shall be within one (1)  
3 year.  
4

5 **Article 37. Transfer.** Transfer is the movement of employee from one  
6 position to another which is of equivalent rank, level or salary without gap in  
7 the service involving the issuance of an appointment.  
8

9 The transfer may be from one organizational unit to another in the  
10 same ministry, office or agency or from one department or agency to another:  
11 Provided, however, that any movement from the non-career service to the  
12 career service and vice versa shall not be considered as a transfer but  
13 reappointment.  
14

15 An employee who seeks transfer to another office shall notify the head  
16 of the department or agency in writing where he/she is employed at least thirty  
17 (30) days prior to the effective date of his/her transfer. The head of the  
18 department or agency shall notify the employee in writing of the approval of the  
19 request to transfer within 30 days from date of notice.  
20

21 If the request to transfer of an employee is not granted by the head of  
22 the ministry, office or agency where he/she is employed, it shall be deemed  
23 approved after the lapse of 30 days from the date of notice without the need to  
24 notify the employee concerned.  
25

26 It is understood that the employee who seeks to transfer is cleared from  
27 all money, property and work-related accountabilities.  
28

29 If, for whatever reason, the employee fails to transfer on the specified  
30 date, he/she shall be deemed resigned. However, should the employee opt to  
31 remain in the same agency before the specified date of transfer, the employee  
32 may be reappointed if there is no gap in the service or reemployed if there is  
33 gap in the service. In both cases, the employee shall undergo the usual hiring  
34 process.  
35

36 **Article 38. Reemployment.** Reemployment is the appointment of a  
37 person who has been previously appointed to a position in the government  
38 service but was separated therefrom as a result of reduction in force,  
39 reorganization, retirement, voluntary resignation, or any non-disciplinary  
40 action such as dropping from the rolls and other modes of separation.  
41 Reemployment presupposes a gap in the service.  
42

43 No prior authority from the Commission shall be required for the  
44 reemployment of a person who has been previously retired or resigned and who  
45 has not reached the compulsory retirement age of 65.  
46

1           **Article 39. Reappointment.** Reappointment is the issuance of an  
2 appointment as a result of reorganization, devolution, salary standardization,  
3 re-nationalization, recategorization, rationalization or similar events, including  
4 the following:

- 5
- 6           1. The issuance of appointment from temporary to permanent, career  
7 to non-career or vice versa, non-career to another non-career, all of  
8 which entails no gap in the service, shall be considered as  
9 reappointment. Non-career employees who are appointed for the  
10 first time in the career service under permanent status shall be  
11 required to undergo probationary period for six (6) months.
  - 12
  - 13           2. The renewal of temporary, contractual and casual appointment  
14 upon the expiration of the appointment or subsequent  
15 appointment of substitute teachers, which entails no gap in the  
16 service, shall be considered as reappointment. A temporary  
17 appointment may be renewed in the absence of an applicant who  
18 meets all the qualification requirements of the position as certified  
19 by the appointing officer/authority and provided that the  
20 performance rating of the employee is at least satisfactory.
  - 21
  - 22           3. Personal or coterminous staff of elective officials, who shall continue  
23 to serve in a coterminous capacity upon re-election of the said  
24 elective officials, shall be issued new appointments. The nature of  
25 appointment shall be reappointment.
  - 26

27           If the request to transfer of an employee is not granted by the head of  
28 the department or agency where he/she is employed, it shall be deemed  
29 approved after the lapse of 30 days from the date of notice without the need to  
30 notify the employee concerned.

31

32           It is understood that the employee who seeks to transfer is cleared from  
33 all money, property and work-related accountabilities.

34

35           If, for whatever reason, the employee fails to transfer on the specified  
36 date, he/she shall be deemed resigned. However, should the employee opt to  
37 remain in the same agency before the specified date of transfer, the employee  
38 may be reappointed if there is no gap in the service or reemployed if there is  
39 gap in the service. In both cases, the employee shall undergo the usual hiring  
40 process.

41

42           **Article 40. Reinstatement (to comparable position).** Reinstatement to  
43 comparable position is the restoration of a person, as a result of a decision, to  
44 a career position from which he/she has, through no delinquency or  
45 misconduct, been separated but subject position is already abolished, requiring



1 the issuance of an appointment to a comparable position to the separated  
2 employee.

3  
4 However, reinstatement (to the same position/item), which involves the  
5 restoration of a person, as a result of a decision, to a career position from  
6 which he/she has, through no delinquency or misconduct, been separated  
7 from the service and subject position is still available, does not need the  
8 issuance of an appointment.

9  
10 **Article 41. Demotion.** Demotion is the movement of an employee from a  
11 higher position to a lower position where he/she qualifies, if a lower position is  
12 available. The demotion entails reduction in duties, responsibilities, status or  
13 rank, which may or may not involve a reduction in salary.

14  
15 In cases where the demotion is due to reorganization or rationalization,  
16 the employee shall be allowed to continue to receive the salary of the higher  
17 position.

18  
19 In cases where the demotion is voluntary or at the instance of the  
20 employee, he/she shall be allowed to receive the same step of the salary grade  
21 of the position where he/she voluntarily sought to be appointed. A written  
22 consent shall be secured from the demoted employee.

23  
24 **Article 42. Reclassification.** Reclassification is a form of staffing  
25 modification and/or position classification action which is applied only when  
26 there is a substantial change in the regular duties and responsibilities of the  
27 position. This may result in a change in any or all of the position attributes:  
28 position title, level and/or salary grade. It generally involves a change in the  
29 position title and may be accompanied by an upward or downward change in  
30 salary. Reclassification is the generic term for changes in staff/position  
31 classification which includes upgrading, downgrading, and categorization.

32  
33 Reclassification of position requires the issuance of an appointment but  
34 the same is ministerial on the part of the appointing officer/authority.

35  
36 The appointment of an incumbent (permanent employee) whose position  
37 was reclassified shall be approved/validated, regardless of whether he/she  
38 meets the qualification requirements of the position involved. The incumbent of  
39 the reclassified position has a vested right to the reclassified position but  
40 he/she shall not be promoted unless he/she meets the qualification  
41 requirements of the next higher position.

42  
43 In LGUs, no reclassification shall be allowed except when the position is  
44 actually vacant.

1           **Article 43.** *Adjustments or movements of human resource without need*  
2 *of issuance of an appointment.* Adjustments or movements of human resource  
3 which do not involve changes in position title, rank or status shall not require  
4 the issuance of an appointment. A notice of such change or movement shall be  
5 issued to the employee. A copy thereof shall be kept in the employee's 201 File  
6 and another copy shall be submitted to the CSC-BARMM for record purposes.  
7

8           The adjustments or movements of human resource shall include the  
9 following:

- 10
- 11           a. Change in item number — the adjustment or shifting of item  
12           number of a position per agency Plantilla of Personnel.
  - 13
  - 14           b. Salary adjustment — the change in salary as a result of increase in  
15           pay levels or upgrading of positions which does not involve a  
16           change in qualification requirements.
  - 17
  - 18           c. Step increment — the increase in salary from step to step within  
19           the salary grade allocation of the official or employee's position in  
20           recognition of meritorious performance based on a Performance  
21           Management System approved by the CSC and/or through length  
22           of service. A Notice of Step Increment (NOSI) is issued by the heads  
23           of agencies for this purpose.
  - 24
  - 25           d. Reinstatement (to the same position/item) — the restoration, as a  
26           result of a decision, of a person to a career position from which  
27           he/she has, through no delinquency or misconduct, been  
28           separated therefrom. The employee has a vested right to his/her  
29           former item, hence, he/she is deemed not to have left the service  
30           and therefore has no gap in the service. He/she shall be entitled to  
31           payment of back salaries including allowances and all benefits  
32           which would have accrued if he/she has not been separated. A  
33           copy of the decision shall be furnished the CSC-BARMM for record  
34           purposes.
  - 35

36           The appointment of the employee hired to fill the position of an  
37           employee with pending appeal of his/her dismissal or separation  
38           from the service shall bear a colatilla that his/her appointment is  
39           subject to the outcome of the case.

- 40
- 41           e. Demotion as a result of a disciplinary action - the adjustment of  
42           the salary of an employee to the next lower salary grade with the  
43           same salary step. A notice of salary adjustment shall be issued.
  - 44
  - 45           f. Positions marked as coterminous with the incumbent (CTI) as a  
46           result of rationalization or reorganization of the agency — A person

1 issued with a permanent appointment whose position is marked as  
2 CTI (coterminous with the incumbent) as a result of rationalization  
3 or reorganization of his/her agency shall retain his/her permanent  
4 status until he/she is appointed/promoted to another position, or  
5 resigns or retires from the service. The CTI status of the position  
6 shall be reflected in the Plantilla of Personnel of the agency.  
7

8 In case of promotion or separation from the service through retirement,  
9 resignation, transfer, death of the incumbent, the position marked as CTI shall  
10 automatically be abolished.  
11

### 12 **CHAPTER III** 13 **OTHER HUMAN RESOURCE ACTIONS** 14

15 **Article 44.** *Other Human Resource Actions.* The following human  
16 resource actions which will not require the issuance of an appointment shall  
17 nevertheless require an Office Order issued by the appointing officer/authority:  
18 reassignment, detail and designation.  
19

20 **Article 45.** *Reassignment.* Reassignment is the movement of an  
21 employee across the organizational structure within the same department or  
22 agency, which does not involve a reduction in rank, status or salary.  
23

24 Reassignment shall be governed by the following:  
25

- 26
- 27 1. Reassignment of employees with station-specific place of work  
28 indicated in their respective appointments within the geographical  
29 location of the agency shall be allowed only for a maximum period of  
30 one (1) year. The restoration or return to the original  
31 post/assignment shall be automatic without the need of any order of  
32 restoration/revocation of the order of reassignment.  
33

34 The reassigned employee who is restored to his/her original  
35 post/assignment pursuant to the decision of the Commission shall  
36 not be reassigned within one (1) year reckoned from the date of  
37 restoration to the original post/assignment. Otherwise, the  
38 appointing officer/authority or the authorized official who caused  
39 the subsequent reassignment within one (1) year from the date of  
40 restoration may be cited for indirect contempt by the Commission.  
41

42 An appointment is considered station-specific when: (a) the  
43 particular office or station where the position is located is  
44 specifically indicated on the face of the appointment paper; or (b) the  
45 position title already specifies the station, such as Human Resource  
46 Management Officer, Accountant, Budget Officer, Assessor, Social

1 Welfare and Development Officer, and such other positions with  
2 organizational unit/station-specific function. Such position titles are  
3 considered station-specific even if the place of assignment is not  
4 indicated on the face of the appointment.  
5

- 6 2. If an appointment is not station-specific, the one-year maximum  
7 period of reassignment within the geographical location of the  
8 agency shall not apply. However, the employee concerned may  
9 request for a recall of the reassignment citing his/her reasons why  
10 he/she wants to go back to his/her original station. The  
11 reassignment may also be revoked or recalled by the appointing  
12 officer/authority or be declared not valid by the Civil Service  
13 Commission or a competent court, on appeal.  
14
- 15 3. Reassignment is presumed to be regular and made in the interest or  
16 exigency of public service unless proven otherwise or if it constitutes  
17 constructive dismissal. Constructive dismissal exists when an  
18 official or employee quits his/her work because of the agency head's  
19 unreasonable, humiliating, or demeaning actuations, which render  
20 continued work impossible because of geographic location, financial  
21 dislocation and performance of other duties and responsibilities  
22 inconsistent with those attached to the position. Hence, the  
23 employee is deemed illegally dismissed. This may occur although  
24 there is no diminution or reduction in rank, status or salary of the  
25 employee.  
26

27 Reassignment that constitutes constructive dismissal may be any of  
28 the following:  
29

- 30 i. Reassignment of an employee to perform duties and  
31 responsibilities inconsistent with the duties and responsibilities  
32 of his/her position such as from a position of dignity to a more  
33 servile or menial job;  
34
- 35 ii. Reassignment to an office not in the existing organizational  
36 structure;  
37
- 38 iii. Reassignment to an existing office but the employee is not given  
39 any definite set of duties and responsibilities;  
40
- 41 iv. Reassignment that will cause significant financial dislocation or  
42 will cause difficulty or hardship on the part of the employee  
43 because of geographic location; or  
44
- 45 v. Reassignment that is done indiscriminately or whimsically  
46 because the law is not intended as a convenient shield for the

1 appointing/disciplining officer to harass or oppress a  
2 subordinate on the pretext of advancing and promoting public  
3 interest such as reassignment of employees twice within a year,  
4 or reassignment of career service officials and employees with  
5 valid appointments during change of administration of elective  
6 and appointive officials.

7  
8 Reassignment that results in constructive dismissal must be  
9 sufficiently established.

- 10  
11 4. The employee may appeal the reassignment order within fifteen (15)  
12 days upon receipt thereof to the CSC-BARMM as provided under  
13 specific law, if he/she believes there is no justification for the  
14 reassignment. Pending appeal, the reassignment shall not be  
15 executory. The Decision of the CSC-BARMM may be further  
16 appealed to the Commission within 15 days from receipt thereof.  
17  
18 5. Reassignment of public health workers, public social workers,  
19 public school teachers and all other professions covered by special  
20 laws shall be governed by their respective laws. However, the rules  
21 herein mentioned shall be applied suppletorily.  
22

23 **Article 46. Detail.** Detail is the temporary movement of an employee  
24 from one ministry, office or agency to another which does not involve a  
25 reduction in rank, status or salary.

26  
27 Detail shall be governed by the following rules:

- 28  
29 a. The detailed employee shall receive his/her salary only from  
30 his/her parent agency.  
31  
32 b. Detail without consent shall be allowed only for a period of one (1)  
33 year.  
34  
35 c. Detail with consent shall be allowed for a maximum of three (3)  
36 years, the extension or renewal of the detail shall be discretionary  
37 on the part of the parent agency.  
38  
39 d. Detail from one agency to another shall be covered by an  
40 agreement manifesting the arrangement between the agency heads  
41 that it shall not result in reduction in rank, status or salary of the  
42 employee, the duration of the detail, duties to be assigned to the  
43 employee and responsibilities of the parent agency and receiving  
44 agency.  
45

- 1 e. The employee may appeal the detail order within 15 days upon  
2 receipt to the CSC-BARMM if he/she believes there is no  
3 justification for the detail. Pending appeal, the detail order shall be  
4 executory unless otherwise ordered by the Commission. The  
5 decision of the said CSC-BARMM may be further appealed to the  
6 Commission within fifteen (15) days from receipt.  
7
- 8 f. During the period of the detail, the parent agency relinquishes  
9 administrative supervision and control over the detailed employee  
10 to the receiving agency. In this regard, the receiving agency has the  
11 following responsibilities: to monitor the punctuality and  
12 attendance of the employee, approve requests for leave, evaluate  
13 the employee's performance, grant the authority to travel and  
14 exercise other acts necessary to effectively supervise the employee;  
15 provided, a report on said matters is submitted to the parent  
16 agency for record purposes.  
17
- 18 g. The detailed employee shall be designated by the receiving agency  
19 to a position whose duties are comparable to his/her position in  
20 the parent agency. However, he/she shall not be designated to a  
21 position exercising control or supervision over regular and career  
22 employees of the receiving agency.  
23
- 24 h. Prior to the effectivity of the detail, the parent agency shall furnish  
25 a certification of the available sick and vacation leave credits of the  
26 detailed employee to the receiving agency. In the event the  
27 receiving agency approves requests for leave by the detailed  
28 employee, a copy of the same shall be submitted to the parent  
29 agency.  
30
- 31 i. The authority to discipline the detailed employee is still vested in  
32 the appointing officer/authority of the parent agency where he/she  
33 belongs. As used herein, the authority to discipline includes the  
34 determination of the existence of a prima facie case against the  
35 detailed employee, issuance of a formal charge, issuance of the  
36 order of preventive suspension if the case so warrants, conduct of  
37 formal investigation, and rendering of the decision on the  
38 administrative case.  
39

40 With respect to the administrative case arising from acts done by  
41 the employee in the receiving agency, said agency shall have the  
42 right to initiate or file the complaint against the detailed employee  
43 subject to the provisions of the 2017 Rules on Administrative  
44 Cases in the Civil Service (RACCS).  
45

- 1           j. All human resource actions and movements, including  
2           monetization of leave credits, concerning the detailed employee,  
3           shall still be under the jurisdiction of the parent agency  
4           notwithstanding that the employee is detailed in another agency.  
5

6           **Article 47. Designation.** Designation is the movement that involves an  
7           imposition of additional and/or higher duties to be performed by a public  
8           official/employee which is temporary and can be terminated anytime at the  
9           pleasure of the appointing officer/authority. Designation may involve the  
10          performance of the duties of another position on a concurrent capacity or on  
11          full-time basis.  
12

13          A designation in an acting capacity entails not only the exercise of the  
14          ministerial functions attached to the position but also the exercise of discretion  
15          since the person designated is deemed to be the incumbent of the position.  
16

17          Officials designated as Officer-in-Charge (OIC) enjoy limited powers  
18          which are confined to functions of administration and ensuring that the office  
19          continues its usual activities. The OIC may not be deemed to possess the power  
20          to appoint employees as the same involves the exercise of discretion which is  
21          beyond the power of an OIC, unless the designation order issued by the proper  
22          appointing officer/authority expressly includes the power to issue  
23          appointment.  
24

25          Designation shall be governed by the following rules:  
26

- 27          1. Employees to be designated should hold permanent appointments to  
28          career positions.  
29
- 30          2. Designees can only be designated to positions within the level they  
31          are currently occupying. Employees holding first level positions  
32          cannot be designated to perform the duties of second level positions  
33          except in meritorious cases as determined by the CSC upon request  
34          for exemption by the agency concerned, such as organizational set-  
35          up, calamity, and due to exigency of the service. This exception shall  
36          not apply to positions involving supervisory and executive  
37          managerial functions. Division Chiefs may be designated to perform  
38          the duties of second level executive/managerial or third level  
39          positions.  
40
- 41          3. For positions with incumbents who temporarily cannot perform the  
42          duties of the position (due to vacation or sick leave, study leave  
43          scholarship, maternity leave, special assignments), the designation  
44          should be synchronized with the absence of the incumbent, unless  
45          earlier revoked or recalled by the appointing officer/authority.

1           However, the designation of employees may be renewed every year in  
2           the exigency of the service but not to exceed two (2) years.

- 3
- 4           4. For positions without incumbents, a designation may be made only  
5           for a maximum of one (1) year. However, the designation of  
6           employees may be renewed every year in the exigency of the service  
7           but not to exceed two (2) years.
- 8
- 9           5. Designations shall be made through an office order issued by the  
10           appointing officer/authority concerned.
- 11
- 12           6. For designation to critical positions in the local government units  
13           such as Provincial/City/Municipal Government Department Head, a  
14           copy of the office order shall be furnished by the HRMOs of the  
15           LGUs to the CSC within thirty (30) days upon its issuance.  
16           Employees designated to positions with duties involving practice of  
17           profession shall be required to possess the necessary professional  
18           license.
- 19
- 20           7. Designees cannot be granted the salaries of the positions they are  
21           being designated to. However, allowances that go with the  
22           performance of the functions such as RATA (Representation and  
23           Transportation Allowance) or EME (Extraordinary and Miscellaneous  
24           Expenses) may be granted as provided under the provisions of the  
25           General Appropriations Act (GAA) or appropriation ordinance of the  
26           respective local sanggunian; provided, the grant of the same is  
27           specifically stated in the designation order.
- 28
- 29           8. Only experience gained from designation compliant with the above  
30           stated rules shall be credited as relevant experience for purposes of  
31           appointment.
- 32

33           **Article 48. Probationary Period.** Original appointees in the career  
34           service with permanent status of appointment shall undergo a probationary  
35           period for six months or depending on the requirement of the position, with a  
36           thorough assessment of his/her performance and character, including a  
37           general orientation for newly-hired.

38

39           Probationary period refers to the period of actual service following the  
40           issuance of a permanent appointment wherein the appointee undergoes a  
41           thorough character investigation and assessment of capability to perform the  
42           duties of the position enumerated in the Position Description Form (PDF).

43

44           The probationary period shall cover the following employees:

45



- 1 a. Those who are issued original appointments under permanent  
2 status in the career service and who meet all the requirements of  
3 the positions;  
4  
5 b. Non-career service employees who are reappointed/reemployed to a  
6 career position under permanent status;  
7  
8 c. Temporary appointees who after meeting the eligibility requirements  
9 for a permanent appointment in the career service are reappointed  
10 (change of status to permanent).  
11  
12 d. Those who are reemployed under permanent status;  
13  
14 e. First-time appointees to closed career positions (faculty and  
15 academic staff in state universities and colleges/local colleges and  
16 universities, and Scientist), unless otherwise provided under the  
17 agency Charter;  
18  
19 f. Appointees to teaching positions under provisional status shall  
20 undergo a probationary period for not less than one (1) year from  
21 the date of the original provisional appointment;  
22  
23 g. Appointees to Category III positions as provided in CSC MC No. 11,  
24 s. 1996, as amended shall be under probation for a period of one (1)  
25 year; and  
26  
27 h. Appointees whose positions require probationary period as may be  
28 provided by law.  
29

30 A notation that the appointee is under probation for a specified period  
31 shall be indicated in the appointment issued.  
32

33 The following employees shall be exempted from undergoing  
34 probationary period:  
35

- 36 a. Teachers who, prior to issuance of permanent appointments, have  
37 acquired adequate training and professional preparation in any  
38 school recognized by the government, and possess the appropriate  
39 civil service eligibility pursuant to Section 4 of Republic Act No.  
40 4670;  
41  
42 b. First-time appointees to closed career positions in SUCs, and  
43 scientific and research institutions if so provided under their agency  
44 Charters; and  
45

1 c. Appointees to positions exempted from the probationary period as  
2 may be provided by law.  
3

4 **Article 49.** *Review and Monitoring of Employee's Performance.* To  
5 facilitate the review and monitoring of employee performance, the performance  
6 targets and work output standards of a probationer shall be set, agreed upon  
7 and duly signed by the probationer, the immediate supervisor (rater), and the  
8 head of agency within five (5) days upon appointee's assumption to duty.  
9

10 The appointee's performance during the probationary period shall be  
11 reviewed as follows:  
12

13 a. The immediate supervisor (rater) shall regularly gather feedback on  
14 the appointee's performance, and conduct feedback sessions to  
15 determine appropriate interventions to improve the appointee's  
16 performance;  
17

18 b. The performance appraisal/evaluation shall be done at least twice  
19 during the probationary period and within every three (3) months or six  
20 (6) months, depending on the duration of the probationary period, as  
21 required by the position;  
22

23 c. The performance review shall be conducted within 10 days before the  
24 end of every rating period during the probationary period.  
25

26 d. The critical factors to be reviewed shall be based on the  
27 performance dimensions indicated in the agency Strategic Performance  
28 Management System (SPMS) and may include competency (knowledge,  
29 skills and attitude), and job-related critical incidents, such as habitual  
30 tardiness and continuous absence from work;  
31

32 e. The performance evaluation report shall be reviewed and certified  
33 by the agency Performance Management Team (PMT) or any duly  
34 constituted review committee; and  
35

36 f. The probationers shall be furnished with copies of the records of  
37 feedback, job-related critical incidents, and performance evaluation  
38 reports with comments on their capability to meet the performance  
39 targets and work output standards and/or recommendation for the  
40 continuity of the permanent appointment of the probationer.  
41 Corresponding copies shall be included in the 201 file of the appointees.  
42

43 **Article 50.** *Termination for Unsatisfactory Conduct or Want of Capacity.*  
44 The services of the appointee can be terminated for unsatisfactory conduct or  
45 want of capacity before the end of the second performance review on the sixth

1 (6th) month or depending on the duration of the probationary period as  
2 required by the position.

3  
4 Unsatisfactory conduct or behaviour refers to the failure of the  
5 appointee to observe propriety in his/her acts, behaviour and human/public  
6 relations, and to irregular punctuality and attendance while performing their  
7 duties and responsibilities during the probationary period. This may include  
8 cases of neglect of duty, misconduct, insubordination, habitual tardiness and  
9 absenteeism.

10  
11 On the other hand, want of capacity shall refer to the failure of the  
12 appointee during the probationary period to perform the duties and  
13 responsibilities based on standards of work outputs agreed upon and reflected  
14 in the duly signed performance targets despite the developmental intervention  
15 provided by the immediate supervisor.

16  
17 The appointee shall be issued a notice of termination of service by the  
18 appointing officer/authority within fifteen (15) days immediately after it was  
19 proven that he/she demonstrated unsatisfactory conduct or want of capacity  
20 before the end of the second performance review on the sixth (6th) month or  
21 depending on the duration of the probationary period. Such notice shall state,  
22 among other things, the reasons for the termination of service and shall be  
23 supported by at least two of the following:

- 24  
25 1. Performance Evaluation Report;  
26 2. Report of the immediate supervisor (rater) on job-related critical and  
27 unusual incidents and on unsatisfactory conduct or behaviour of  
28 the appointee; or  
29 3. Other valid documents that may support the notice of termination of  
30 service.

31  
32 The notice of termination of service shall be executory after fifteen (15)  
33 days from receipt of the employee concerned. The same may be appealed to  
34 CSC, within fifteen (15) days from receipt of notice but shall be executory  
35 pending appeal. A copy of the Notice of Termination of Service shall be included  
36 in the 201 file of the appointee and furnished the CSC for recording in the  
37 Service Card.

38  
39 If no notice of termination of office is given by the appointing  
40 officer/authority to the employee before the expiration of the six-month or  
41 depending on the duration of the probationary period, the probationer becomes  
42 a regular employee of the agency concerned.

43  
44 **Article 51. Effectivity and Submission of Appointments.** An appointment  
45 issued in accordance with pertinent laws and rules shall take effect  
46 immediately on the date it was signed by the appointing officer/authority. The

1 date of signing shall be indicated below the signature of the appointing  
2 officer/authority in the appointment form.

3  
4 The date of the appointment shall not fall on a Saturday, Sunday or  
5 holiday, except in cases where the date of issuance is specifically provided in a  
6 special law such as in the appointment of personal and confidential staff of  
7 Constitutional officials and elective officials and where the service should not  
8 constitute a gap such as in transfer and reappointment.

9  
10 If the appointee has taken his/her oath of office and assumed the  
11 duties of the position, he/she shall be entitled to receive his/her salary at once  
12 without awaiting the approval/validation of his/her appointment by the  
13 Commission. The appointment shall remain effective until  
14 disapproved/invalidated by the Commission. In no case shall an appointment  
15 take effect earlier than the date it was signed except in cases authorized by  
16 law.

17  
18 No official or employee shall be required to assume the duties and  
19 responsibilities of the position without being furnished with a copy of his/her  
20 appointment by the HRMO after it is signed by the appointing officer/authority.  
21 The appointee shall acknowledge receipt of the appointment by signing on the  
22 acknowledgment portion at the back of the appointment form.

23  
24 The appointment of officials or employees who are on official leave of  
25 absence, training or scholarship grant, shall be effective upon assumption or  
26 upon return from official leave of absence, scholarship or training.

27  
28 **Article 52. Concurrence of Local Sanggunian in Appointments Issued by**  
29 *Local Government Units Required.* In the case of local government units, the  
30 appointment issued by the appointing officer/authority to a department head  
31 position requires the concurrence of the majority of all the members of the local  
32 sanggunian. The appointing officer/authority shall submit the appointment to  
33 the local sanggunian for concurrence within seven (7) calendar days upon  
34 issuance. Failure to submit the appointment to the sanggunian within the  
35 prescribed period may render the person/s responsible administratively liable.

36  
37 If the sanggunian does not act on the appointment within fifteen (15)  
38 calendar days from the date of its submission, said appointment shall be  
39 deemed concurred.

40  
41 The effectivity date of the appointment shall be the date of the signing of  
42 the appointing officer/authority which shall end the moment the local  
43 sanggunian rejects or disapproves it. The services rendered after the rejection  
44 shall not be considered government service and the payment of salaries shall  
45 be the liability of the appointing officer/authority.

1 In case the appointment is not submitted to the local sanggunian for  
2 concurrence and the same is later on disapproved or invalidated by the  
3 Commission, the appointment shall not be considered effective from the date of  
4 issuance.

5  
6 **Article 53.** *Submission of Appointment to the Commission.* An  
7 appointment shall be submitted to the Commission within thirty (30) calendar  
8 days from the date of issuance. In case of appointments issued by  
9 accredited/deregulated agencies, the Report on Appointments Issued (RAI)  
10 together with the original CSC copy of appointments issued during the month  
11 and the required attachments shall be submitted on or before the 30th day of  
12 the succeeding month.

13  
14 The delay in the submission of appointment or RAI to the CSC shall not  
15 be taken against the appointee. The effective date of appointment shall not be  
16 adjusted based on the delay, thus the original date of appointment shall be  
17 retained. However, the responsible official/s who caused the delay in the  
18 submission or non-submission of the appointment may be held  
19 administratively liable for neglect of duty.

20  
21 Furthermore, the delay in the submission or non-submission of RAI  
22 may be reflected by the CSC-BARMM Director as a critical incident in the  
23 Agency Capability Evaluation Card (ACEC) and may result in the revocation of  
24 the accredited/deregulated status of the agency.

25  
26 The appointee, whose appointment was submitted to the Commission  
27 beyond the prescribed 30-day period shall be entitled to the payment of salary  
28 from the government immediately following the effectivity of the appointment  
29 and assumption to duty. The services rendered by the appointee shall be  
30 credited as government service.

31  
32 **Article 54.** *Cancellation of Appointment for Failure to Assume Office.* An  
33 appointment issued by the appointing officer/authority may be cancelled if the  
34 appointee does not assume office or report within thirty (30) calendar days  
35 from receipt of the written notice of the appointment.

36  
37 The cancellation of the appointment shall be reported to the  
38 Commission for record purposes. The position is automatically deemed vacant  
39 upon cancellation of the appointment by the appointing officer/authority  
40 without the need for an approval or declaration by the Commission. The  
41 appointing officer/authority may select from among the top ranking candidates  
42 for the position or order the re-publication of the vacant position pursuant to  
43 RA No. 7041.

44  
45 Officials or employees who are on official leave of absence, training or  
46 scholarship grant, whose appointment shall be effective upon assumption or

1 upon return from official leave of absence, scholarship or training, shall be  
2 exempt from this provision.

3  
4 If the appointee is not allowed to assume office by the appointing  
5 officer/authority or other officials concerned despite his/her receipt of the  
6 appointment, or submission thereof to the Commission for approval, the  
7 official/s or employee/s who caused the non-assumption of the appointee shall  
8 be held administratively liable therefor.

9  
10 **Article 55.** *Reckoning of Temporary Appointment.* In the case of  
11 temporary appointment, the twelve-month period of its effectivity shall be  
12 reckoned from the date of the issuance of the appointment and not from the  
13 date the appointee assumed the duties of the position.

14  
15 **Article 56.** *of Assumption Without Appointment First Issued.* The  
16 services rendered by any person who was required to assume the duties and  
17 responsibilities of any position without an appointment having been issued by  
18 the appointing officer/authority shall not be credited nor recognized by the  
19 Commission and the payment of salaries and other benefits shall be the  
20 personal liability of the person who made him/her assume office.

21  
22 **Article 57.** *Actual Assumption of Duties as Basis for Payment of Salary*  
23 *and Determination of Service Rendered.* The date of the actual assumption of  
24 duties of the appointee, as indicated in the Certification of Assumption to Duty  
25 in the CSC prescribed form shall be the basis for the payment of his/her salary  
26 and determination of service rendered in government. This shall be submitted  
27 to the CSC-BARMM for proper notation in the service card of the appointee.

28  
29  
30 **CHAPTER IV**  
31 **VACANCY**  
32

33 **Article 58.** *Publication and Posting Requirements of Vacant Positions.*  
34 Vacant positions in the career service, including vacant executive/managerial  
35 positions in the second level that are authorized to be filled, together with their  
36 corresponding qualification standards and plantilla item numbers, shall be  
37 published and posted in three (3) conspicuous places for a period of at least ten  
38 (10) calendar days.

39  
40 **Article 59.** *Submission of the List of Vacancies to the Civil Service*  
41 *Commission – Bangsamoro Autonomous Region in Muslim Mindanao.* All Ministries,  
42 offices and agencies shall submit a list of their vacant positions authorized to be  
43 filled and their corresponding qualification standards and plantilla item numbers  
44 in the CSC prescribed form in electronic and printed copies to the CSC-BARMM.  
45 The printed and the electronic copies shall be forwarded to the CSC-BARMM for  
46 publication.

1  
2 In addition, Ministries, offices and agencies shall publish vacant positions  
3 through other modes such as the Bangsamoro Job Portal or in a newspaper of  
4 local and/or national circulation or other job search websites. The reckoning date  
5 of publication will be the publication/publication date, regardless of the mode,  
6 as certified by the HRMO; Provided, that a request for publication of vacant  
7 position/s has been filed at the CSC-BARMM on the same day of publication in the  
8 Bangsamoro Job Portal or newspaper or other job search websites.  
9

10 Any incorrect information in the publication of vacant positions, i.e., item  
11 number, position title or qualification standards shall be a ground for the  
12 disapproval/invalidation of appointments.  
13

14 **Article 60.** *Positions Exempt from Publication and Posting.* The following  
15 positions are exempt from the publication and posting requirements:  
16

- 17 a. Primarily confidential;
- 18
- 19 b. Policy-determining;
- 20
- 21 c. Highly technical which includes the faculty and academic staff of  
22 state/local colleges and universities, and scientific and technical  
23 positions in scientific and research institutions with established merit  
24 systems;
- 25
- 26 d. Coterminous with that of the appointing officer/authority, including  
27 other non- career positions such as contractual and casual identified  
28 under Section 9, Subtitle A, Title I, Book V of EO No. 292;
- 29
- 30 e. Reappointment (change of status to permanent) of those appointed on  
31 temporary status for Category 11 positions under CSC MC No. 11, s.  
32 1996, as amended; or  
33
- 34 f. Reappointment (renewal) of those appointed on temporary status for  
35 Medical Officer/Specialist positions pursuant to PD No. 1424, Further  
36 Amending RA No. 1243, As Amended by RA No. 2251, otherwise known  
37 as the "Hospital Residency Law";
- 38
- 39 g. Those to be filled by existing regular employees in the ministry, office or  
40 agency in case of reorganization/rationalization; provided, the  
41 approved staffing pattern is posted in the ministry, office or agency  
42 bulletin boards and other conspicuous places.  
43

44 **Article 61.** *Vacant Generic Positions.* The qualification standards of the  
45 parenthetical title should be used in the publication of vacant generic  
46 positions.  
47





1 approved, the agency shall uniformly and consistently adopt these in the  
2 selection and appointment of employees. The approved qualification standards  
3 shall be adopted by the Civil Service Commission in the attestation of  
4 appointments of the agency concerned.

5  
6 **Article 67.** *Qualification Standards Established and Approved by the*  
7 *Commission.* Qualification standards shall be established for all positions in the  
8 Index of Occupational Service (IOS), Position Titles and Salary Grades or  
9 positions subsequently created and approved in accordance with existing laws,  
10 policies, rules and regulations. Qualification standards which have been  
11 established and approved by the Commission for positions in a particular  
12 sector may be adopted for the same position titles in other government sectors  
13 without need for prior approval of the Civil Service Commission.

14  
15 **Article 68.** *Agency Positions to be Included in Qualification Standards*  
16 *Manual.* All agency positions should be included in the approved Qualification  
17 Standards Manual of the agency concerned, or if unique to the agency, should  
18 have a qualification standards approved/confirmed by the Civil Service  
19 Commission.

20  
21 An appointment to a position without an approved/confirmed  
22 qualification standards by the Civil Service Commission, as the case may be,  
23 shall be disapproved/invalidated.

24  
25 **Article 69.** *Career Service Positions' Appointees to Meet the Prescribed*  
26 *Minimum Requirements.* Appointees to career service positions must meet the  
27 education, training, experience, eligibility, and competency requirements  
28 prescribed in the Qualification Standards manual or CSC-approved agency  
29 qualification standards for their positions at the time of the issuance of the  
30 appointment.

31  
32 **Article 70.** *Position Description Form.* Qualification standards for  
33 positions, which may include competencies (knowledge, skills and attitudes),  
34 shall be established based on the set of duties and responsibilities indicated in  
35 the Position Description Form (PDF).

36  
37 **Article 71.** *Casual, Contractual, and Coterminous Positions.* Appointees  
38 to casual, contractual, and coterminous positions that are not primarily  
39 confidential in nature must meet the education, training and experience  
40 requirements of the positions as proposed by the respective Agency heads and  
41 approved by the Civil Service Commission. Pending the submission and  
42 approval of the agency qualification standards, the qualification requirements  
43 provided under the CSC Qualification Standards Manual shall be used as  
44 bases in the attestation of these non-career appointments.

1 Eligibility is not required for appointment to casual, contractual, and  
2 coterminous positions but preference should be given to civil service eligibles.  
3 However, if the duties of the position involve the practice of a profession  
4 regulated by the Philippine Bar/Board or special laws, and/or require licenses  
5 such as those required for positions listed under Category IV of CSC MC No.  
6 11, s. 1996, as amended, the corresponding professional license and/or  
7 certificate of registration shall be required.  
8

9 **Article 72.** *Primarily Confidential or Personal Staff.* Appointees to  
10 primarily confidential/personal staff positions are exempt from the  
11 qualification requirements, except those whose duties involve the practice of a  
12 profession regulated by the Philippine Bar/Board laws and/or require licenses  
13 such as those required for positions listed under Category IV of CSC MC No.  
14 11, s. 1996, as amended, and those specifically required by a special law, such  
15 as the positions of Provincial/City/Municipal Administrator, Information  
16 Officer and Legal Officer required under specific provisions of the 1991 Local  
17 Government Code to have "first grade civil service eligibility" or its equivalent  
18 and RA No. 1080 (Bar) eligibility, respectively.  
19

20 **Article 73.** *Reappointment to the same or Comparable Positions.*  
21 Incumbents of positions under permanent status who are reappointed to the  
22 same or comparable positions during reorganization, rationalization or  
23 recategorization and other similar events are considered as having met the  
24 qualification standards for the position.  
25

26 **Article 74.** *Division Chief and Executive Managerial Positions.* The  
27 qualification standards for division chief and executive managerial positions  
28 shall primarily take into consideration education, experience, training,  
29 eligibility and leadership competencies.  
30

31 **Article 75.** *Madaris Teachers.* In the case of Madaris teachers, the Civil  
32 Service Commission shall promulgate rules and regulations to set the  
33 standards for their qualifications, appointments, and promotions as provided  
34 for in the Bangsamoro Education Code or based on the recommendations of  
35 the Bangsamoro Government.  
36

37 **Article 76.** *Requirements in case of Request for Approval of Qualification*  
38 *Standards.* An agency, office or Ministry which requests approval of  
39 Qualification Standards for particular position/s shall comply with the  
40 following requirements:  
41

- 42 a. Endorsement letter by the Agency Head;
- 43
- 44 b. Charter of the agency;
- 45

- 1 c. Organizational and Functional Chart of the Office or unit where the  
2 position/s belong;  
3  
4 d. Plantilla of Positions or Staffing Pattern approved by the concerned  
5 ministry, office or agency of the Bangsamoro Government;  
6  
7 e. Statement of duties and responsibilities of the position indicated in  
8 the Position Description Form (PDF) or Job Description (JD) certified  
9 by the ministry, office or agency's HRMO;  
10  
11 f. If the position is newly created:  
12  
13 i. Letter of approval by the Ministry of Finance, and Budget and  
14 Management; or  
15  
16 ii. Board Resolution and Memorandum Order by the concerned  
17 commission, office or agency for Bangsamoro GOCCs with  
18 original charter; or  
19  
20 iii. Sanggunian Ordinance approving the creation of position for  
21 LGUs.  
22  
23 g. Proposed Qualification Standards (in printed and electronic copy)  
24

## 25 **Part II. Education**

26  
27 **Article 77. *Education Defined.*** Education refers to the formal or non-  
28 formal academic, technical, and vocational studies that will enable the  
29 candidate to successfully perform the duties and responsibilities indicated in  
30 the Position Description Form (PDF) of the position to be filled. This includes  
31 Madaris education as may be defined in the Bangsamoro Education Code.  
32

33 **Article 78. *Completion of Non-formal Education.*** Certificates of  
34 completion of non-formal education issued by the MBHTE or Department of  
35 Education shall be considered valid documents for appointment to positions  
36 requiring completion of elementary or high school education, provided, that  
37 other requirements of the positions are met.  
38

39 **Article 79. *Two-Year Studies as a Requirement.*** For one to meet the  
40 two-year studies in college requirement in the Qualification Standards Manual,  
41 one must have earned from an MBHTE or CHED-recognized institution at least  
42 72 (non-K12 program) academic units leading to a degree, has completed a  
43 relevant two-year collegiate/technical course or those who have graduated from  
44 K-12 program.  
45

1           **Article 80.** *Certificate of Completion of Bachelor's Degree.* Certificates  
2 issued by the schools deputized by the MBHTE or CHED on having completed  
3 a bachelor's degree under the Expanded Tertiary Education Equivalency and  
4 Accreditation Program shall be considered valid documents for meeting the  
5 education requirement for positions requiring completion of a bachelor's  
6 degree.

7  
8           **Article 81.** *Certificate of Completion of at least 72 Units.* Certifications  
9 issued by the schools deputized by MBHTE or CHED showing completion of at  
10 least 72 (non-K 12 program) academic units leading to a degree under the  
11 Expanded Tertiary Education Equivalency and Accreditation Program shall be  
12 considered valid documents for meeting the education requirement for  
13 positions requiring completion of two-year studies in college.

14  
15           **Article 82.** *Certificate of Equivalency for One-Year Diploma Post-*  
16 *Graduate Course.* Certification issued by MBHTE or CHED that a one-year  
17 diploma post-graduate course acquired from foreign or local institutions is  
18 equivalent to a master's degree shall be considered appropriate for meeting the  
19 education requirement for appointment to division chief and  
20 executive/managerial position.

21  
22           **Article 83.** *Certificate of Equivalency for Bachelor's or Master's Degree.*  
23 Certification issued by MBHTE or CHED that a degree obtained from foreign  
24 schools is equivalent to a bachelor's or master's degree shall be considered  
25 valid document for meeting the education requirement for positions requiring  
26 completion of a bachelors or master's degree.

27  
28           **Article 84.** *Relevancy of at least 12 Academic Units Required.* To meet  
29 the relevant bachelor's degree requirement in the Qualification Standards  
30 Manual, the appointee must have completed from an MBHTE or CHED-  
31 recognized college or university a bachelor's degree whose curriculum either  
32 includes, or is supplemented by, 12 academic units of the subject or course,  
33 which will enable the candidate to successfully perform the duties and  
34 responsibilities of the position to be filled in the Position Description Form.

35  
36           **Article 85.** *Master's Degree or Certificate in Leadership and*  
37 *Management.* A graduate of the Master's degree or Certificate in Leadership and  
38 Management (C-Pro) from the CSC shall be considered to have met the master's  
39 degree requirement for purposes of meeting the education requirement for  
40 division chief and executive/managerial positions.

41  
42           **Article 86.** *Bachelor of Laws and Doctor of Medicine.* Completion of the  
43 degrees of Bachelor of Laws/Juris Doctor and Doctor of Medicine from a  
44 CHED-recognized institution shall be considered appropriate education for  
45 appointment to division chief and executive/managerial positions or other

1 positions requiring a master's degree, the duties of which do not involve  
2 practice of profession covered by bar/board laws.

3  
4 **Article 87. *Exemption from the Master's Degree Requirement.*** RA No.  
5 1080 eligibles shall be exempt from the master's degree requirement for  
6 division chief and executive/managerial positions the duties and  
7 responsibilities of which involve practice of profession or belong to the same  
8 occupational group or functionally related positions as that of the professions  
9 regulated by Bar or Board laws.

10  
11 However, a master's degree shall be required if the  
12 executive/managerial or division chief position does not involve practice of  
13 profession or does not belong to the same occupational group or functionally  
14 related positions as that of the professions regulated by Bar/Board laws;  
15 provided that, this does not apply to lawyers and doctors.

16  
17 **Article 88. *Career Executive Service Eligibles.*** Career Executive Service  
18 (CES) or Career Service Executive (CSE) eligibles shall likewise be considered to  
19 have met the master's degree requirement for purposes of meeting the  
20 education requirement for division chief and executive/managerial positions.

21  
22 **Article 89. *Certificate of Registration or Professional License.*** Those who  
23 have been allowed to register and are issued certificate of registration or valid  
24 professional license of a specific board law shall be considered as having met  
25 the educational requirements for appointments to positions covered by the  
26 corresponding board law or other functionally related positions that do not  
27 involve the practice of other professions covered by bar/board laws.

28  
29 **Article 90. *Professional and Non-professional Examinations Threshold.***  
30 Those who were allowed to take the Career Service Professional and Sub  
31 professional examinations on or before November 29, 1992 shall be considered  
32 as having met the education requirement for appointment to corresponding  
33 level of position not covered by bar/board laws.

### 34 35 36 **Part III. Experience**

37  
38 **Article 91. *Experience Defined.*** Experience refers to the previous jobs in  
39 either the government or private sector, whether full-time or part-time, which,  
40 as certified by the Human Resource Management Officer or authorized officials  
41 of the previous employer, are functionally related to the duties in the PDF of  
42 the position to be filled.

43  
44 **Article 92. *Job Order or Contract of Service Acquired Experience.***  
45 Relevant experience acquired through a Job Order or Contract of Service

1 covered by a contract or a Memorandum of Agreement may be considered for  
2 meeting the experience requirement.

3  
4 **Article 93.** *Full Time Volunteer Work.* Relevant experience acquired  
5 through volunteer work, on full time basis, as certified by the Human Resource  
6 Management Officer or authorized officials, may be considered for meeting the  
7 experience requirement.

8  
9 **Article 94.** *First Level Positions Experience.* Experience in first level  
10 positions may be considered for meeting the experience requirement of second  
11 level positions when acquired in the same occupational group or functionally  
12 related positions.

13  
14 **Article 95.** *Experience Acquired Through Designation.* Relevant  
15 experience acquired through a designation covered by an Office or  
16 Memorandum Order may be considered for meeting the experience  
17 requirement.

#### 18 **Part IV. Training**

19  
20  
21 **Article 96.** *Training Defined.* Training refers to formal or non-formal  
22 training courses and HRD- interventions such as coaching, mentoring, job  
23 rotation, seminars, workshops, and others that are part of the employees  
24 Individual Development Plan/Career Development Plan. These  
25 trainings/learning and development interventions are intended to enable the  
26 candidate to successfully perform the duties and responsibilities as indicated  
27 in the PDF or Job Description (JD) of the position to be filled. These are  
28 evidenced by the Learning and Development Plan/Coaching and Mentoring  
29 Program approved by the agency head and Certificates issued by the HRMO or  
30 authorized official from the government or private sector.

31  
32 **Article 97.** *Human Resource Development Intervention.* Continuous  
33 learning and development shall be espoused by the Bangsamoro Government.  
34 The ministry, office or agency heads shall ensure that each employee shall have  
35 undergone at least one planned human resource development intervention  
36 during the year. A minimum of forty (40) hours supervisory/ management  
37 training or learning and development intervention per year based on the  
38 Learning and Development Plan of the agency should be provided by the  
39 agency to incumbents of supervisory and managerial positions.

40  
41 **Article 98.** *Recognized Training Institutions.* Training may be acquired  
42 from any of the following institutions:

- 43  
44 a. Any CSC accredited learning and development institutions;

- 1           b. Government training institutions;  
2  
3           c. Non-accredited private training institution offering training of highly  
4           technical/specialized nature;  
5  
6           d. Local training institution that is internationally acclaimed for  
7           meeting the global standards of excellence in training;  
8  
9           e. Institution recognized by Ministry of Basic, Higher and Technical  
10           Education (MBHTE) or Commission on Higher Education (CHED) as  
11           Center of Excellence (COE) or Development (COD);  
12  
13           f. Foreign institution that offers training for scholarship purposes or  
14           for personal advancement of participants; or  
15  
16           g. Other institutions that partner with the Civil Service Commission in  
17           building capabilities of civil servants.  
18

19           **Article 99.** *Trainings Acquired from Recognized Institutions Must be*  
20 *Relevant.* Training acquired from any of the afore-mentioned institutions must  
21 be relevant to the position to be filled and aligned with the strategy map or  
22 development goal of the institution or organization.  
23

24           **Article 100.** *Attendance or Services Rendered not Considered Trainings.*  
25 Attendance to annual agency planning sessions/workshops/ conferences as a  
26 requirement for operations and/or services rendered as facilitator/ resource  
27 person in seminars/workshops/trainings shall not be considered for meeting  
28 the training requirements.  
29

30           In house agency-initiated or in-service training/learning and  
31 development intervention shall be considered for purposes of meeting the  
32 training requirement of positions.  
33

34           **Article 101.** *Number of Hours Required for Division Chief.* The learning  
35 and development/training required for Division Chief and comparable positions  
36 shall be forty (40) hours of supervisory/management learning and development  
37 intervention undertaken as determined by the CSC.  
38

39           **Article 102.** *Number of Hours Required for Executive/Managerial*  
40 *Positions.* Generally, the training required for executive/managerial positions in  
41 the second level shall be 120 hours of supervisory/management learning and  
42 development intervention undertaken as determined by CSC.  
43

44           Management training includes, courses, workshops, seminars and other  
45 learning and development interventions that develop and/or enhance

1 knowledge, skills and attitude to enable successful performance of  
2 management functions such as planning, organizing, directing, controlling,  
3 coordinating and overseeing the activities of an organization, a unit thereof or a  
4 group. It is intended to develop/enhance leadership competencies to prepare  
5 managers in managing people and work.  
6

7 **Article 103.***MCLE and CPE/CPD Constitute Technical Training.* For  
8 executive/managerial positions in the second level with duties and  
9 responsibilities involving practice of profession, the Mandatory Continuing  
10 Legal Education (MCLE) for Bar passers, the Continuing Professional  
11 Education/Development (CPE/CPD) for licensed professionals or trainings  
12 relevant to practice of profession may constitute for a maximum of 40 hours of  
13 technical training and the remaining 80 hours shall be management trainings  
14 undertaken within a period determined by CSC.  
15

16 **Article 104.***Highly Technical or Specialized Trainings.*  
17 Executive/managerial positions in the second level with duties and  
18 responsibilities which are highly-specialized in nature as shown in their  
19 PDFIJD may require trainings which are highly technical and or highly-  
20 specialized. These highly technical highly-specialized trainings shall make up  
21 for the 120 hours of management and technical training where a maximum of  
22 80 hours shall be for technical training and the minimum of 40 hours shall be  
23 management trainings undertaken within a period determined by CSC.  
24

25 **Article 105.***Amendments to Training Requirements.* Proposed  
26 amendments to the training requirements for executive/ managerial positions  
27 as discussed in Articles 103 and 104 hereof, and other valid reasons shall be  
28 submitted to the Commission for approval. In the absence of CSO- approved  
29 agency specific training requirements, the one hundred twenty (120) hours of  
30 management training undertaken within a period determined by CSC.  
31

## 32 **Part V. Eligibility**

33  
34 **Article 106.***Eligibility Defined.* Eligibility refers to the result of passing  
35 a merit and fitness test which may be determined as far as practicable by  
36 competitive examination, or based on highly technical qualifications or other  
37 tests of merit and fitness conducted by the Civil Service Commission, and other  
38 examinations such as the PRC-conducted board examinations, the SC-  
39 conducted bar examinations or the CESB-conducted CES examinations.  
40

41 **Article 107.***First Level Eligibilities Appropriate for First Level Positions;*  
42 *Exception.* First level eligibilities are appropriate for appointment to positions in  
43 the first level. They do not apply to those covered by bar/board/special laws,  
44 and other special eligibilities as may be determined by the Commission or



1 those that require licenses such as those positions listed under Category IV of  
2 CSC MC No. 11, s. 1996, as amended.

3  
4 **Article 108.** *Second Level Eligibilities Appropriate for Second and First*  
5 *Level Positions; Exception.* Second level eligibilities are appropriate for  
6 appointment to positions in the second and first level. They do not apply to  
7 those covered by bar/board/special laws, and other special eligibilities as may  
8 be determined by the Commission or those that require licenses such as those  
9 positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.

10  
11 **Article 109.** *Third Level Eligibility.* The requirement for Career  
12 Executive Service eligibility shall not apply to Third Level position in the  
13 BARMM, unless otherwise provided by law or existing jurisprudence.

14  
15 **Article 110.** *Bar/Board Examination Passers.* Eligibilities resulting from  
16 passing the bar/board examinations shall be required for appointment to  
17 positions the duties of which constitute the practice of profession(s) regulated  
18 by the Philippine bar/board laws. Likewise, such eligibilities shall be  
19 considered to appropriate positions requiring the completion of at least a  
20 bachelor's degree and to other first and second level positions not covered by  
21 bar/board/special laws and/or those that require other special eligibilities as  
22 may be determined by the Commission or those that require licenses such as  
23 those positions listed under Category IV of CSC MC No. 11, s. 1996, as  
24 amended.

25  
26 **Article 111.** *Board Passers Eligible to Other First Level Positions.*  
27 Eligibilities resulting from passing the board examinations which require  
28 completion of less than a bachelor's degree shall be considered appropriate to  
29 positions for which the examinations were given, and to other first level  
30 positions not covered by board/special laws and/or those that require other  
31 special eligibilities as may be determined by the Commission or those that  
32 require licenses such as those positions listed under Category IV of CSC MC  
33 No. 11, s. 1996, as amended.

34  
35 **Article 112.** *Unassembled, Testimonial or Special Examinations.*  
36 Eligibilities resulting from passing the Unassembled, Testimonial or special  
37 examinations conducted by the CSC or by the ministries, offices or agencies  
38 with the assistance of or in coordination with the CSC shall only be appropriate  
39 for appointment to the positions for which they were given, to other  
40 functionally related positions, and other positions as may be determined by the  
41 Commission.

42  
43 Incumbents of positions who were issued permanent appointments  
44 using eligibilities resulting from these examinations shall retain their  
45 permanent status but may only be promoted to positions belonging to the same

1 occupational group or functionally related positions for which the examinations  
2 were given or other positions as may be determined by the Commission.

3  
4 **Article 113.** *Very Satisfactory Performance Eligibility Appropriate for*  
5 *Highly Skilled Positions.* Eligibilities granted after one year of Very Satisfactory  
6 actual work performance under temporary status for positions listed under  
7 Category II of CSC MC No. 11, s. 1996, as amended, shall only be appropriate  
8 for appointment to highly skilled positions within the same occupational group  
9 or functionally related positions.

10  
11 **Article 114.** *Eligibilities Under Category I (SCEP) Positions.* Eligibilities  
12 previously issued under Category I (SCEP) shall continue to be appropriate for  
13 permanent appointment to corresponding positions re- categorized under  
14 Category II and other functionally-related positions without undergoing one (1)  
15 year employment under temporary status, provided the other requirements are  
16 met.

17  
18 **Article 115.** *Licenses Required Under Category IV Positions.* Licenses  
19 issued by authorized government agencies shall be required for appointment to  
20 positions listed under Category IV of CSC MC No. 11, s. 1996, as amended.

21  
22 **Article 116.** *NAPOLCOM Eligibility.* Passing the NAPOLCOM  
23 examinations shall be considered as an eligibility appropriate only for  
24 appointment to uniformed personnel positions in the PNP, unless otherwise  
25 provided by law.

26  
27 **Article 117.** *Shari'ah Bar Eligibility Threshold.* Passing the 13<sup>th</sup> Shari'a  
28 Bar Examinations held in January 2014 and the Shari'ah Bar Examinations  
29 conducted thereafter shall be considered as an eligibility appropriate for  
30 appointment to first and second level positions, except for positions covered by  
31 bar/board/special laws and/or those that require other special eligibilities as  
32 may be determined by the Commission or those that require licenses such as  
33 those positions listed under Category IV of CSC MC No. 11, s. 1996, as  
34 amended.

35  
36 Passing the Shari'ah Bar Examinations held prior to the 13<sup>th</sup> Shari'ah  
37 Bar Examinations shall be considered as appropriate for appointment to first  
38 level positions, except for positions covered by board/special laws and/or those  
39 that require other special eligibilities as may be determined by the Commission  
40 or those that require licenses such as those positions listed under Category IV  
41 of CSC MC No. 11, s. 1996, as amended.

42  
43 For purposes of appointment, passers of the Shari'ah Bar Examinations  
44 shall be required to submit an authenticated copy of his/her Certificate of  
45 Membership in the Shari'a Bar issued by the Supreme Court.

1  
2  
3 **Chapter VI**  
4 **MERIT SELECTION PLAN AND**  
5 **HUMAN RESOURCE MERIT AND SELECTION BOARD**  
6

7 **Article 118.***Merit Selection Plan Coverage.*The Merit Selection Plan  
8 (MSP) shall cover positions in the first and second level and shall also include  
9 original appointments and other related human resource actions.

10  
11 There shall be no discrimination in the selection of employees on  
12 account of age, sex, sexual orientation and gender identity, civil status,  
13 disability, religion, ethnicity, or political affiliation.  
14

15 **Article 119.***Different Bangsamoro Promotion and Selection Boards May*  
16 *be Constituted.* Each ministry, office and agency may constitute two (2)  
17 Bangsamoro Promotion and Selection Boards (BPSB) - one for the first and  
18 second level positions and another for second level executive/managerial  
19 positions.  
20

21 Each ministry, office or agency may establish special BPSB for  
22 specialized and highly technical positions or different sets of BPSB for its own  
23 purpose, but the same should be provided in their respective Merit Selection  
24 Plan to be submitted to the CSC-BARMM for approval.  
25

26 **Article 120.***BPSB to Assist the Appointing Authority.* The BPSB shall  
27 assist the appointing officer/authority in the judicious and objective selection  
28 of candidates for appointment in the agency in accordance with the approved  
29 Agency Merit Selection Plan (MSP).  
30

31 The BPSB shall be primarily responsible for the judicious and objective  
32 selection of candidates for appointment in the agency in accordance with the  
33 approved Agency MSP and shall submit to the appointing officer/authority the  
34 top five (5) ranking candidates deemed most qualified for appointment to the  
35 vacant position.  
36

37 **Article 121.** *Report of BPSB's Assessment.*The appointing  
38 officer/authority shall be guided by the report of the BPSB's assessment of  
39 candidates and in the exercise of sound discretion, select, insofar as  
40 practicable, from among the top five (5) candidates or less, deemed most  
41 qualified for appointment to the vacant position, depending on the number of  
42 candidates.  
43

44 **Article 122.***Applicant Ranked Higher than Next-in-Rank May be*  
45 *Appointed.* The appointing officer/authority may appoint an applicant who is

1 ranked higher than those next-in-rank to the vacant position based on the  
2 assessment of qualifications/competence evidenced by the comparative  
3 ranking.  
4

5 **Article 123.***Composition of the BPSB.* There shall be BPSB to be  
6 composed of the following:  
7

8 1. *FIRST and SECOND LEVEL POSITIONS*  
9

10 *For Ministries / GOCCs:*  
11

12 Chairperson: Highest official in-charge of human resource management  
13 or his/her authorized representative.  
14

15 Members:  
16

- 17 a) Head of organizational unit where vacancy exist, or his/her  
18 designated alternate;  
19 b) Human Resource Management Officer(HRMO) or the career service  
20 employee directly responsible for recruitment, selection and placement,  
21 or his/her designated alternate;  
22 c) Two (2) regular and alternate representatives of the rank and file  
23 career employees, from the first level and from the second level, who  
24 shall all be chosen by the duly accredited employees association in the  
25 agency.  
26

27 *For LGUs:*  
28

29 Chairperson: The Local Chief Executive, or his/her authorized  
30 representative  
31

32 Members:  
33

- 34 a) Vice/Governor/ Vice Mayor or his/her authorized representative, if  
35 the vacant position is in his/her Office or in the Office of the  
36 Sanggunian;  
37 b) Head of organizational unit where vacancy exist, or his/her  
38 designated alternate;  
39 c) Human Resource Management Officer (HRMO) or the career service  
40 employee directly responsible for recruitment, selection and placement,  
41 or his/her designated alternate;  
42 d) Two (2) regular and alternate representatives of the rank and file  
43 career employees, from the first level and from the second level, who  
44 shall all be chosen by the duly accredited employees association in the  
45 agency.  
46

1           2.    *EXECUTIVE/MANAGERIAL POSITIONS*

2  
3           *For Ministries/ GOCCs:*

4  
5           Chairperson:     Minister or his/her authorized representative.

6  
7           Members:

8  
9           a)    Director general or its equivalent or his/her authorized  
10          representative or designated alternative;

11          b)    Director for Administration or his/her authorized Representative or  
12          designated alternate.

13  
14          *For LGUs:*

15  
16          Chairperson:     The Local Chief Executive, or his/her authorized  
17          Representative

18  
19          Members:

20  
21          a)    Vice Governor/ Vice Mayor or his/her authorized representative, if  
22          the vacant position is in his/her Office or in the Office of the  
23          Sanggunian;

24          b)    Two (2) Department Heads, one of which is preferable the HRM  
25          Department Head or equivalent or their designated alternates.

26  
27          **Article 124.** *Official to Supervise Human Resource Management.* The  
28          highest official in-charge of the human resource management shall be the  
29          official directly supervising the human resource management of the agency.

30  
31          The HRMO is the officer/official in-charge of the recruitment, selection,  
32          and placement.

33  
34          In case there is no accredited employees' association in the agency, the  
35          representatives shall be chosen at large by the employees through a general  
36          assembly. The candidate who garnered the second highest votes shall  
37          automatically be the alternate representative. Any other mode of selection may  
38          be conducted for the purpose.

39  
40          The first level representative or alternate shall participate during the  
41          screening of candidates for vacancies in the first level; the second level  
42          representative or alternate shall participate in the screening of candidates for  
43          vacancies in the second level. Both rank-and-file representatives shall serve for  
44          a period of two (2) years.

1           **Article 125.** *Office Order to Identify Principal and Alternate Members of*  
2 *the BPSB.* The ministry, office and agency head shall issue an Office Order  
3 identifying the principal members of the BPSB and their designated alternates.  
4 The CSC-BARMM should be furnished with a copy of the Office Order. For  
5 LGUs, the BPSB shall be chaired by the local chief executive or his/her  
6 authorized representative, and its members shall be determined by resolution  
7 of the sanggunian concerned. A copy of which should also be furnished the  
8 CSC-BARMM.  
9

10           **Article 126.** *Equal Opportunity for Representation in the BPSB.* The  
11 agency head shall, as far as practicable, ensure equal opportunity for men and  
12 women to be represented in the BPSB for all levels of positions.  
13

14           **Article 127.** *Prescribed Composition may be Modified.* The membership  
15 of the BPSB can be modified, provided it conforms to the prescribed  
16 composition. Each ministry, office or agency may add a reasonable number of  
17 members, but the prescribed composition may not be reduced. The BPSB  
18 members must be duly designated and their names posted in the agency  
19 bulletin board. Any change in the composition of the BPSB should be reported  
20 to the CSC-BARMM.  
21

22           For LGUs, the same composition should be followed. In no instance  
23 should the BPSB be composed entirely of the members of the local Sanggunian.  
24

25           **Article 128.** *Role of Human Resource Management Office/ Unit.* The HRM  
26 Office/Unit shall perform secretariat and technical support function to the  
27 BPSB for the comparative assessment and final evaluation of candidates. It  
28 shall also evaluate and analyze results of structured background investigation  
29 for second level, supervisory, and executive/managerial positions.  
30

31           The HRM Officer, as member of the BPSB, shall not act as secretariat to  
32 the BPSB. For ministry, office and agencies with only one appointed or  
33 designated HRM Officer, the agency head shall designate an employee from  
34 other units to act as the secretariat.  
35

36           **Article 129.** *Orientation and Workshop Required.* The BPSB members  
37 including alternate representatives shall undergo orientation and workshop on  
38 the ministry, office and agency selection/promotion process and CSC policies  
39 on appointments.  
40

41           **Article 130.** *Majority Required in the Deliberation.* The BPSB shall be  
42 represented by at least the majority of its members during the deliberation of  
43 candidates for appointment.  
44

1           **Article 131.***Deliberation, How and When Conducted.* The BPSB shall  
2 maintain fairness and impartiality in the assessment of candidates for  
3 appointment. Towards this end, the BPSB may employ the assistance of  
4 external or independent resource persons and may initiate innovative schemes  
5 in determining the best and most qualified candidate.  
6

7           The deliberation by the BPSB in the ministry and GOCCs with original  
8 charters shall not be made earlier than ten (10) calendar days from the date of  
9 publication and posting of vacant positions; and in the local government units  
10 (LGUs) it shall not be made earlier than fifteen (15) calendar days from the date  
11 of publication and posting of vacant positions. An appointment issued in  
12 violation of these rules shall be disapproved/invalidated.  
13

14           Candidates for the following appointments shall no longer be subject to  
15 the screening of the BPSB:

- 16
- 17           a. Substitute appointment due to its short duration and emergency  
18           nature.
  - 19
  - 20           b. Reappointment to change the employment status from temporary to  
21           permanent upon meeting the deficiency or to renew the appointment  
22           of a temporary employee, if upon publication there are no qualified  
23           applicants and his/her performance rating is at least Very  
24           Satisfactory for two (2) rating periods; or
  - 25
  - 26           c. Appointments to casual, contractual, coterminous and other non-  
27           career positions as identified under Section 9, Subtitle A, Title I,  
28           Book V of EO No. 292.  
29

30           **Article 132.** *Performance Rating Required.* An employee should have  
31 obtained at least Very Satisfactory performance rating in the last rating period  
32 prior to the assessment or screening for promotion or transfer.  
33

34           The performance rating of at least Very Satisfactory (VS) in the last  
35 rating period shall not be required for promotion from first to second level entry  
36 positions.  
37

38           The performance rating prior to the reclassification of the position shall  
39 be considered as performance rating in the reclassified position for purposes of  
40 promotion.  
41

42           **Article 133.***When to Fill Up Vacancies Resulting from Promotion.*  
43 Ministry, office or agency shall not fill up vacancies resulting from promotion  
44 until the promotional appointments have been approved/validated by the CSC,  
45 except in meritorious cases, as may be authorized by the Commission.  
46

1           **Article 134.***Three (3) Salary, Pay or Job Grades Limitation; Exceptions.*

2 An employee may be promoted to a position which is not more than three (3)  
3 salary grade, pay or job grades higher than the employee's present position. All  
4 appointments issued in violation of this policy shall be  
5 disapproved/invalidated, except when the promotional appointment falls within  
6 the purview of any of the following exceptions:

7  
8           a. The position occupied by the person is next-in-rank to the vacant  
9 position as identified in the Merit Selection Plan and the System of  
10 Ranking Positions (SRP) of the agency.

11  
12           b. The vacant position is a lone or entrance position, as indicated in the  
13 ministry, office or agency staffing pattern.

14  
15           c. The vacant position is hard to fill, such as Accountant, Medical  
16 Officer/Specialist, Attorney, or Information Technology  
17 Officer/Computer Programmer positions.

18  
19           d. The vacant position is unique and/or highly specialized, such as  
20 Actuarial, Airways Communicator positions.

21  
22           e. The candidates passed through a deep selection process, taking into  
23 consideration the candidates' superior qualifications in regard to:

24                   i. Educational achievements;

25                   ii. Highly specialized trainings;

26                   iii. Relevant work experience; and

27                   iv. Consistent high performance rating/ranking.

28  
29           f. The vacant position belongs to the closed career system, i.e., those  
30 that are scientific, or highly technical in nature that include the faculty  
31 and academic staff of state colleges and universities, and the scientific  
32 and technical positions in scientific or research institutions, all of which  
33 establish and maintain their own merit systems.

34  
35           g. Other meritorious cases, such as:

36                   i. when the appointee is the lone applicant who meets all  
37 the requirements of the position and passed through the  
38 deep selection process;

39                   ii. when the qualified next-in-rank employees waived their  
40 right over the vacant position in writing;



- 1                   iii. when the next-in-rank position, as identified in the
- 2                               agency SRP is vacant;
- 3                   iv. when the next-in-rank employee/s is/are not qualified; or
- 4                   v. when the qualified next-in-rank employees did not apply.
- 5

6                   **Article 135.***Applicability of Three (3) Salary Grade Limitation.* The three-  
7 salary grade limitation shall apply only to promotion within the ministry, office  
8 or agency. This prohibition shall not apply to the following human resource  
9 actions which involve issuance of an appointment:

- 10
- 11                   a. Transfer incidental to promotion provided that the appointee was
- 12                               subjected to deep selection;
- 13
- 14                   b. Reappointment involving promotion from non-career to career
- 15                               provided the appointee was subjected to deep selection;
- 16
- 17                   c. Reappointment from career to non-career position;
- 18
- 19                   d. Re-employment; or
- 20
- 21                   e. Reclassification of position.
- 22

23                   **Article 136.***Strict Observance of the Above Conditions Enjoined.* In the  
24 selection process, ministry, office or agency heads are enjoined to strictly  
25 observe the above conditions to avoid disapproval or invalidation of  
26 promotional appointments.

27

28                   **Article 137.***Evaluation of the Manner and Merit of the Issuance of*  
29 *Appointment.* In the evaluation of promotional appointments, the CSC-BARMM  
30 make a thorough evaluation of the manner and merit of the issuance of the  
31 appointment vis-a-vis the reasons or justifications of the appointing authority  
32 before taking any action on the appointments.

33

34                   **Article 138.***Submission of Selection and Recruitment Plan (SRP).* To  
35 facilitate review and evaluation of appointments, all agencies are required to  
36 submit their SRP to CSC-BARMM. The ministry, office or agency SRP shall be  
37 used as one of the bases for determining whether agencies observe the policy  
38 on the three-salary grade limitation on promotion as herein provided.

39

40                   **Article 139.***Submission of Agency Merit Selection Plan (MSP).* All  
41 Bangsamoro ministries, offices or agencies shall submit their Agency MSP to  
42 the CSC-BARMM, which shall take effect immediately upon approval. All  
43 subsequent amendments shall take effect immediately upon approval by the  
44 CSC-BARMM.



1  
2 d. In the interest of service, however, the appointing officer/authority  
3 may set a date of effectivity of the resignation, but in no case shall be  
4 earlier than the date specified in the letter of resignation or thirty (30)  
5 days from submission thereof.  
6

7 e. The acceptance of resignation is mandatory. The appointing  
8 officer/authority may suspend the effectivity date of resignation despite  
9 its initial written notice of acceptance due to any of the following  
10 reasons:  
11

12 1. When the country is at war or when any other national or  
13 local emergency has been declared by the appropriate authority;  
14 and  
15

16 2. When it is necessary to prevent loss of life or property or in  
17 case of imminent danger to public safety due to an actual or  
18 impending emergency caused by serious accidents, fire, flood,  
19 typhoon, earthquake, epidemic or other disaster or calamity.  
20

21 3. A resignation previously suspended due to any of the  
22 abovementioned reasons shall nonetheless be effective thirty (30)  
23 days after the circumstances causing the previous suspension  
24 has ceased as certified by the appropriate authority or the  
25 appointing officer/authority.  
26

27 f. If the last day of the period given to the appointing  
28 officer/authority to act and furnish copy of the written action on the  
29 tendered resignation falls on a holiday or non-working day, copy of the  
30 written action shall be furnished the official or employee concerned on  
31 the next working day immediately following a holiday or non-working  
32 day.  
33

34 g. The official or employee concerned may withdraw the tender of  
35 resignation any time prior to receipt of notice of acceptance of the  
36 resignation from the appointing officer/authority or before the lapse of  
37 the thirty (30)-day period given for the latter to act on the resignation,  
38 whichever comes first.  
39

40 h. Until the resignation is accepted, the tender of resignation is  
41 revocable. Once the resignation is deemed complete and operative, the  
42 withdrawal thereof shall not automatically restore the employee to  
43 his/her former position.  
44

1 i. The following documents shall be submitted to the CSC-BARMM  
2 within thirty (30) calendar days from the date of the effectivity of the  
3 resignation, for record purposes:  
4

5 1. the voluntary written notice of the employee informing the  
6 appointing officer/authority that he/she is relinquishing his/her  
7 position and the effectivity date of said resignation;  
8

9 2. the acceptance of resignation in writing by the agency head  
10 or appointing officer/authority which shall indicate the date of  
11 effectivity of the resignation; and  
12

13 3. the proof of notice of the acceptance of resignation to the  
14 employee.  
15

16 j. An official or employee under investigation, except those prohibited  
17 by law, may be allowed to resign pending decision of his/her case  
18 without prejudice to the continuation of the proceedings until finally  
19 terminated.  
20

21 **Article 142. *Dismissal Defined.*** Dismissal is the termination or the act  
22 of being discharged from employment or service for cause. It is the definite  
23 severance of an officer or employee from government service on the initiative of  
24 the agency or office, CSC, Ombudsman, or regular courts.  
25

26 The Report on Database of Individuals Barred from Entering  
27 Government Service and Taking Civil Service Examinations (DIBAR) together  
28 with a certified true copy of the decision rendered which has become executory,  
29 where the penalty of dismissal was imposed, shall be submitted by the HRMO  
30 to the CSC-BARMM within thirty (30) calendar days from the date of such  
31 decision, for record purposes.  
32

33 **Article 143. *Other Modes.*** For other modes of separation such as  
34 dropping from the rolls, termination/expiration of temporary, coterminous,  
35 contractual or casual appointment, retirement, or death, a copy of the order of  
36 dropping from the rolls or notice of separation signed by the appointing  
37 officer/authority stating the date of such separation, or the death certificate  
38 shall be submitted by the HRMO to the CSC-BARMM within thirty (30)  
39 calendar days from the date of the effectivity of the dropping from the rolls,  
40 date of separation, or death for record purposes.  
41  
42  
43

## 44 **Chapter VIII**

### 45 **DISAPPROVAL, INVALIDATION AND RECALL**

1 **OF APPROVAL/VALIDATION OF APPOINTMENTS**

2  
3 **Article 144.***Grounds for Disapproval or Invalidation.* The following are  
4 the grounds for disapproval or invalidation of an appointment:

- 5  
6 a. The appointee does not meet the qualification standards for the  
7 position;
- 8  
9 b. The appointee has been dismissed for cause as enumerated in  
10 Section 50 (A), Rule 10 of the 2017 RACCS or has been found guilty  
11 of a crime where perpetual/temporary disqualification from  
12 appointment is attached to the penalty thereof, unless an executive  
13 clemency has been granted;
- 14  
15 c. The appointee has intentionally made a false statement of any  
16 material fact or has practiced or attempted to practice any deception  
17 or fraud in connection with his/her appointment;
- 18  
19 d. The appointment has been issued in violation of the CSC-approved  
20 Merit Selection Plan of the agency;
- 21  
22 e. The contractual/casual appointment has been issued to fill a vacant  
23 position in the plantilla of personnel or the contractual/casual  
24 appointee will perform the duties and responsibilities of the vacant  
25 position; or
- 26  
27 f. The appointment has been issued in violation of existing Civil  
28 Service Law, rules and regulations, the Board/Bar, Local  
29 Government Code of 1991 (RA No. 7160), Publication Law (RA No.  
30 7041), the Omnibus Election Code (BP Blg. 881, as amended) and  
31 other pertinent laws.

32  
33 **Article 145.***Termination of Services.* When an appointment is  
34 disapproved/invalidated, the services of the appointee shall be terminated after  
35 fifteen (15) days from receipt of the letter/decision disapproving/invalidating  
36 the appointment, unless a motion for reconsideration or appeal is seasonably  
37 filed.

38  
39 **Article 146.***Appointment Deemed Effective Pending Affirmation of*  
40 *Disapproval/Invalidation.* If the appointment, regardless of the status, is  
41 disapproved/invalidated on grounds which do not constitute a violation of  
42 pertinent laws as provided in Article 144 of this Code, the same is considered  
43 effective until the disapproval/invalidation is affirmed by the CSC-BARMM or  
44 the Commission. The services rendered shall be credited as government  
45 services and the appointee shall be entitled to the payment of salaries from the  
46 government as a de facto officer. However, the pendency of the appeal on

1 disapproved/invalidated temporary, contractual and casual appointments shall  
2 not extend the period of effectivity thereof as provided for in the appointment  
3 forms.  
4

5 In order for the appointee to be considered as de facto officer, the  
6 following elements must concur:  
7

- 8 a. There must be a de jure office. - The position is under an existing  
9 and legally recognized division, office, organization, Plantilla of  
10 Position/staffing Pattern.  
11
- 12 b. There must be color of right or general acquiescence by the public. -  
13 It must be derived from an election or appointment, however  
14 irregular or informal, so that the incumbent is not a mere volunteer.  
15 The appointee only assumed the duties and responsibilities of the  
16 position because he/she was issued his/her appointment paper.  
17
- 18 c. There must be actual physical possession of the office in good faith.  
19 The appointee has the presumption that the appointment issued to  
20 him/her is in compliance with Civil Service Law and rules.  
21

22 An appointment which is disapproved/invalidated on grounds that  
23 constitute a violation of pertinent laws as provided in Article 144 of this Code  
24 may be appealed and the appointee may continue to render services. In the  
25 event the disapproval/invalidation is affirmed by the Commission, it becomes  
26 executory. The services rendered shall not be credited as government service  
27 and the appointing authority/officer shall be personally liable for the payment  
28 of salaries.  
29

30 If an appeal on a disapproved/invalidated appointment is granted by  
31 the CSC-BARMM or by the Commission, the dispositive portion of the CSC-  
32 BARMM or Commission Resolution shall state that the actual services rendered  
33 by the appointee are deemed included in his/her service record, without the  
34 need to file a request for accreditation of service.  
35

36 **Article 147.** *Liability of Appointing Authority.* The appointing  
37 officer/authority shall be personally liable for the salary of an appointee paid  
38 after the CSC has finally disapproved/invalidated the appointment.  
39

40 An employee whose promotional appointment is  
41 disapproved/invalidated shall be reverted to his/her former position.  
42

43 **Article 148.** *Appointments Made by Outgoing Elective Officials.* All  
44 appointments issued after an election up to June 30 by outgoing elective  
45 appointing officer/authority shall be disapproved/invalidated unless all the  
46 following requisites relative to their issuance are met:

- 1  
2 a. The appointee meets the approved minimum qualification standards  
3 or qualification standards required under special law, if any, for the  
4 position to which he/she was appointed;  
5  
6 b. The appointee has undergone the Bangsamoro Promotion and  
7 Selection Board (BPSB) screening prior to the election ban. In this  
8 case, the appointing officer/authority or agency shall submit the  
9 minutes of the BPSB meetings and the evaluation report of the  
10 applicants;  
11  
12 c. There is an urgent need for the issuance of the appointment/s so as  
13 not to prejudice public service or endanger public safety; and  
14  
15 d. Civil Service Law, rules and regulations and special laws, if any, on  
16 the issuance of appointments are followed.  
17

18 **Article 149.** *Appointments Made by Outgoing Appointive Officials.* All  
19 appointments issued after a presidential election up to June 30 by an  
20 appointive appointing officer/authority coterminous with the President shall be  
21 disapproved/invalidated, unless all the requisites as provided in Article 148  
22 hereof relative to their issuance are met.  
23

24 **Article 150.** *Mass Appointments.* The issuance of mass appointments of  
25 more than twenty (20) appointments may be allowed provided the above  
26 conditions in Articles 138 and 139 of this Code, as the case may be, are  
27 followed.  
28

29 **Article 151.** *Prior Authority before Appointment.* If in the exigency of the  
30 service, the outgoing appointing officer/authority, whether elective or  
31 appointive, opts to reappoint temporary, casual and/or contractual employees  
32 or appoint/reappoint substitute teachers, during reorganization, etc., after the  
33 elections or before June 30 of an election year, prior authority must be  
34 obtained from the concerned CSC-BARMM; otherwise, such appointments shall  
35 be disapproved/invalidated.  
36

37 Such authority shall be granted on the basis of validated need to fill the  
38 positions immediately in order not to prejudice public service and/or endanger  
39 public safety.  
40

41 **Article 152.** *Recall of Appointment.* Notwithstanding the initial  
42 approval/validation of an appointment, the same may be recalled by the CSC-  
43 BARMM or by the Commission on any of the following grounds:  
44

- 45 a. Non-compliance with the procedures/criteria provided in CSC-  
46 approved agency Merit Selection Plan;

- b. Failure to pass through the agency's BPSB; or
- c. Violation of existing Civil Service Law, rules and regulations.

**Article 153.** *Effect of Appointment Already Accepted by the Appointee.* The appointing officer/authority shall not withdraw or revoke an appointment already accepted by the appointee. Such appointment shall remain in full force and effect until disapproved/invalidated by the Commission. However, in case an appointment is void from the beginning due to fraud on the part of the appointee or because it was issued in violation of law, the proper appointing officer/authority may request the Commission for its withdrawal or revocation. Provided that if a protest on the appointment is filed, the Rules on Protest under the 2017 RACCS shall apply.

**Article 154.** *Executive Clemency.* No person who has been dismissed or perpetually excluded/disqualified from government service shall be appointed or reemployed unless he/she has been granted executive clemency by the President of the Philippines upon recommendation of the Commission.

**Article 155.** *Prohibited Promotion.* Promotion within six (6) months prior to compulsory retirement shall not be allowed except as otherwise provided by law.

**Article 156.** *Appointment after Compulsory Retirement Age Not Allowed; Exception.* No person who has reached the compulsory retirement age of sixty five (65) years can be appointed to any position in the government, except to a primarily confidential position.

A person appointed to a primarily confidential position who reaches the age of sixty five (65) is considered automatically extended in the service until the expiry date of his/her appointment or until his/her services are earlier terminated.

The extension of service of a person who will reach the compulsory retirement age of 65 years may be allowed for a period of six (6) months and in meritorious circumstances may be extended for another six (6) months. The request for extension shall be made by the Head of Office. The same shall be filed with the Commission not later than three (3) months prior to the date of the official/employee's compulsory retirement. Services rendered during the period of extension shall no longer be credited as government service.

However, for one who will complete the fifteen (15) years of service required under the GSIS Law, a maximum period of two (2) years may be allowed. Services rendered during the period of extension shall be credited as



1 part of government service for purposes of retirement. The official or employee,  
2 may file the request of extension of service.

3  
4 The request shall be submitted to the Commission with the following  
5 documents:

- 6  
7 a. Request for extension of service signed by the head of  
8 office/appointing officer/authority or the employee in case of  
9 extension to complete the 15-year service required under the GSIS  
10 Law, containing the justifications for the request;  
11  
12 b. Certification by a licensed government physician that the employee  
13 subject of the request is still mentally and physically fit to perform  
14 the duties and functions of his/her position.  
15  
16 c. Certified true copy of the employee's Certificate of Live Birth;  
17  
18 d. Clearance of no pending administrative case issued by the CSC,  
19 Office of the Ombudsman and agency concerned;  
20  
21 e. Service record of the employee, if the purpose of the extension is to  
22 complete the fifteen (15)-year service requirement under the GSIS  
23 law;  
24  
25 f. Certification from the GSIS on the Total Length of Service (TLS) of  
26 the employee for those who are completing the fifteen (15)-year  
27 service requirement;  
28  
29 g. Certified true copy of the updated Plantilla of Personnel issued by  
30 the agency HRM Officer; and  
31  
32 h. Proof of payment of the filing fee.

33  
34 The only basis for Heads of Offices to allow an employee to continue  
35 rendering service after his/her 65th birthday is a Commission Resolution  
36 granting the request for extension. In the absence of such resolution, the said  
37 employee shall not be authorized to perform the duties of the position and  
38 his/her salaries shall be the liability of the official responsible for the continued  
39 service of the employee.

40  
41 During the period of extension, the employee on service extension shall  
42 be entitled to salaries and salary increases, allowances, and other  
43 remunerations that are normally considered part and parcel of an employee's  
44 compensation package subject to the existing regulations on the grant thereof,  
45 except step increments. The employee shall also be entitled to fifteen (15) days

1 vacation and fifteen (15) days sick leave annually, provided that the same are  
2 not commutative and cumulative.

3  
4 **Article 157. *Prohibited Transfer or Appointment*** Unless allowed by the  
5 Commission in meritorious cases, heads of oversight agencies and their staff  
6 are prohibited from transferring or being appointed to any position in the  
7 ministry, office, agency or local government unit which their unit is assigned or  
8 designated to oversee within one year after the termination of such assignment  
9 or designation.

10  
11 **Article 158. *Limitation to Performance of Duties***. No person appointed to  
12 a position in the non-career service shall perform the duties properly belonging  
13 to any position in the career service.

14  
15 **Article 159. *Limitation to Designation***. No consultant, contractual, non-  
16 career or detailed employee shall be designated to a position exercising control  
17 or supervision over regular and career employees, except as may be provided  
18 by law.

19  
20 **Article 160. *Contract of Service Employees***. No institutional or individual  
21 contract of service employees shall be made to perform functions pertaining to  
22 regular positions nor be designated to positions exercising control or  
23 supervision over regular and career employees.

24  
25 **Article 161. *Discrimination in Whatever Form Prohibited***. No  
26 discrimination shall be exercised, threatened or promised against or in favor of  
27 any person examined or to be examined or employed by reason of his/her  
28 political or religious opinions or affiliations, sex, sexual orientation and gender  
29 identity, civil status, age, disability, or ethnicity.

30  
31 **Article 162. *Changes in Designation or Nomenclature Not Allowed***. No  
32 changes in designation or nomenclature of positions resulting in promotion or  
33 demotion in rank or increase or decrease in compensation shall be allowed in  
34 LGUs, except when the position is actually vacant.

35  
36 **Article 163. *Prohibited Private Business or Practice of Profession;***  
37 ***Exemptions***. No officer or employee, whether in a permanent or regular  
38 capacity, temporary, casual, or hold-over, shall engage directly or indirectly in  
39 any private business or practice of profession. Exemptions may be allowed,  
40 subject to the limitations provided under RA No. 6713 and other special laws.  
41 Provided, further that the following requirements/conditions are met:

- 42  
43 a. Written permission from head of ministry, office, or agency must be  
44 secured and renewed annually;

- 1 b. Time devoted outside of office hours shall not impair in any way the  
2 efficiency of the officer or employee nor pose a conflict or tend to  
3 conflict with the official functions and must be fixed by the head of  
4 agency; and  
5  
6 c. Government facilities, equipment and supplies shall not be used  
7 while engaged in private business or practice of profession.  
8

9 **Article 164.** *Dual Citizenship not Allowed in Government Service.* A  
10 person with dual citizenship shall not be appointed in the government unless  
11 he/she renounces his/her foreign citizenship pursuant to the provisions of  
12 Republic Act No. 9225. However, even if he/she has renounced his/her foreign  
13 citizenship, but continues to use his/her foreign passport in travelling after  
14 renunciation, he/she shall not be considered for appointment in the  
15 government service.  
16

17 This rule shall not apply to Filipino citizens whose foreign citizenship  
18 was acquired by birth.  
19

20 **Article 165.** *Candidates or Those Occupying Public Positions and/or in*  
21 *Active Service in Foreign Countries Not eligible for Appointment.* The right to be  
22 appointed to any public office in the Philippines cannot be exercised by, or  
23 extended to, those who are candidates for or are occupying any public office in  
24 the country of which they are naturalized citizens and/or are in active service  
25 as commissioned or non-commissioned officers in the armed forces of the  
26 country of which they are naturalized citizen  
27  
28  
29  
30

31 **BOOK III**  
32 **CONDUCT OF CIVIL SERVANTS**  
33

34 **Chapter I**  
35 **CIVIL SERVANTS**  
36

37 **Article 166.** *Norms of Conduct of Civil Servants of the Bangsamoro*  
38 *Government.* (A) Every public official and employee in the Bangsamoro  
39 Government shall observe the following as standards of personal conduct in  
40 the discharge and execution of official duties:  
41

- 42 a. *Commitment to public interest.* - Public officials and employees shall  
43 always uphold the public interest over and above personal interest.  
44 All Bangsamoro Government resources and powers of their  
45 respective offices must be employed and used efficiently, effectively,

1 honestly and economically, particularly to avoid wastage in public  
2 funds and revenues.

- 3
- 4 b. *Professionalism.* - Public officials and employees shall perform and  
5 discharge their duties with the highest degree of excellence,  
6 professionalism, intelligence and skill. They shall enter public  
7 service with utmost devotion and dedication to duty. They shall  
8 endeavor to discourage wrong perceptions of their roles as  
9 dispensers or peddlers of undue patronage.
- 10
- 11 c. *Justness and sincerity.* - Public officials and employees shall remain  
12 true to the people at all times. They must act with justness and  
13 sincerity and shall not discriminate against anyone, especially the  
14 poor and the underprivileged. They shall at all times respect the  
15 rights of others, and shall refrain from doing acts contrary to law,  
16 *Adat* or the Moro or non-Moro indigenous people's customary law,  
17 good morals, good customs, public policy, public order, public safety  
18 and public interest. They shall not dispense or extend undue favors  
19 on account of their office to their relatives whether by consanguinity  
20 or affinity except with respect to appointments of such relatives to  
21 positions considered strictly confidential or as members of their  
22 personal staff whose terms are coterminous with theirs.
- 23
- 24 d. *Political neutrality.* - Public officials and employees shall provide  
25 service to everyone without unfair discrimination and regardless of  
26 party affiliation or preference.
- 27
- 28 e. *Responsiveness to the public.* - Public officials and employees shall  
29 extend prompt, courteous, and adequate service to the public.  
30 Unless otherwise provided by law or when required by the public  
31 interest, public officials and employees shall provide information of  
32 their policies and procedures in clear and understandable language,  
33 ensure openness of information, public consultations and hearings  
34 whenever appropriate, encourage suggestions, simplify and  
35 systematize policy, rules and procedures, avoid red tape and develop  
36 an understanding and appreciation of the socio-economic conditions  
37 prevailing in the country, especially in the depressed rural and  
38 urban areas.
- 39
- 40 f. *Nationalism and patriotism.* - Public officials and employees shall at  
41 all times be loyal to the Republic, the Bangsamoro and to the  
42 Filipino people, promote the use of locally produced goods,  
43 resources and technology and encourage appreciation and pride of  
44 country and people. They shall endeavor to maintain and defend  
45 Philippine sovereignty against foreign intrusion.

- 1  
2 g. *Commitment to democracy.* - Public officials and employees shall  
3 commit themselves to the democratic way of life and values,  
4 maintain the principle of public accountability, and manifest by  
5 deeds the supremacy of civilian authority over the military. They  
6 shall at all times uphold the Constitution and put loyalty to country  
7 above loyalty to persons or party.  
8
- 9 h. *Simple living.* - Public officials and employees and their families shall  
10 lead modest lives appropriate to their positions and income. They  
11 shall not indulge in extravagant or ostentatious display of wealth in  
12 any form.  
13
- 14 i. *Respect for Human Dignity.* - Public officials and employees shall be  
15 compassionate and approach anyone seeking the service of their  
16 agency in a courteous and professional manner. They shall  
17 discharge their duties in a manner that is caring and gender-  
18 sensitive. They shall ensure that right to human dignity will be  
19 regarded with utmost respect at all times.  
20
- 21 j. *Uphold Equality* - Public official and employees shall at all times be  
22 committed to public service and avoid discrimination. They shall  
23 render public service with the highest degree of excellence and  
24 professionalism to the Bangsamoro people and other stakeholders  
25 without distinction of any kind, such as race, colour, sex, language,  
26 religion, political or other opinion, national or social origin, property,  
27 birth or other status.  
28

29 (B) The Bangsamoro Government, in collaboration with CSC-  
30 BARMM, shall adopt positive measures to promote (1) observance of  
31 these standards including the dissemination of information programs  
32 and workshops authorizing merit increases beyond regular progression  
33 steps, to a limited number of employees recognized by their office  
34 colleagues to be outstanding in their observance of ethical standards;  
35 and (2) continuing research and experimentation on measures which  
36 provide positive motivation to public officials and employees in raising  
37 the general level of observance of these standards.  
38

39 **Article 167. Duties of Public Officials and Employees.** - In the  
40 performance of their duties, all public officials and employees are under  
41 obligation to:  
42

43 (a) Act promptly on letters and requests:

- 44 i. All applications or requests submitted shall be acted upon  
45 by the assigned officer or employee within the prescribed

1 processing time stated in the Citizen's Charter which shall not be  
2 longer than three (3) working days in the case of simple  
3 transactions and seven (7) working days in the case of complex  
4 transactions from the date the request and/or complete  
5 application or request was received.

6 ii. For applications or requests involving activities which pose  
7 danger to public health, public safety, public morals, public  
8 policy, and highly technical application, the prescribed processing  
9 time shall in no case be longer than twenty (20) working days or  
10 as determined by the government agency or instrumentality  
11 concerned, whichever is shorter.

12 iii. The maximum time prescribed above may be extended only  
13 once for the same number of days, which shall be indicated in the  
14 Citizen's Charter. Prior to the lapse of the processing time, the  
15 office or agency concerned shall notify the applicant or requesting  
16 party in writing of the reason for the extension and final date of  
17 release of the government service/s requested. Such written  
18 notification shall be signed by the applicant or requesting party to  
19 serve as proof of notice.

20 iv. If the application or request for license, clearance, permit,  
21 certification or authorization shall require the approval of the  
22 Sangguniang Bayan, Sangguniang Panlungsod, or the  
23 Sangguniang Panlalawigan as the case may be, the Sanggunian  
24 concerned shall be given a period of forty five (45) working days to  
25 act on the application or request, which can be extended for  
26 another twenty (20) working days. If the Sanggunian concerned  
27 has denied the application or request, the reason for the denial,  
28 as well as the remedial measures that may be taken by the  
29 applicant shall be cited by the concerned Sanggunian.

30 v. In cases where the cause of delay is due to force majeure or  
31 natural or man-made disasters, which result to damage or  
32 destruction of documents, and/or system failure of the  
33 computerized or automatic processing, the prescribed processing  
34 times mandated shall be suspended and appropriate adjustments  
35 shall be made.

36 vi. No application or request shall be returned to the applicant  
37 or requesting party without appropriate action. In case an  
38 application or request is disapproved, the officer or employee who  
39 rendered the decision shall send a formal notice to the applicant  
40 or requesting party within the prescribed processing time, stating  
41 therein the reason for the disapproval. A finding by a competent  
42 authority of a violation of any or other laws by the applicant or

1 requesting party shall constitute a valid ground for the  
2 disapproval of the application or request, without prejudice to  
3 other grounds provided in this Act or other pertinent laws.

4 vii. Denial of Application or Request for Access to Government  
5 Service. - Any denial of application or request for access to  
6 government service shall be fully explained in writing, stating the  
7 name of the person making the denial and the grounds upon  
8 which such denial is based. Any denial of application or request is  
9 deemed to have been made with the permission or clearance from  
10 the highest authority having jurisdiction over the government  
11 office or agency concerned.

12 viii. Limitation of Signatories. - The number of signatories in any  
13 document shall be limited to a maximum of three (3) signatures  
14 which shall represent officers directly supervising the office or  
15 agency concerned; provided, that in case the authorized signatory  
16 is on official business or official leave, an alternate shall be  
17 designated as signatory. Electronic signatures or pre-signed  
18 license, clearance, permit, certification or authorization with  
19 adequate security and control mechanism may be used.

20 ix. Electronic Versions of Licenses, Clearances, Permits,  
21 Certifications or Authorizations. - All Bangsamoro Government  
22 ministries, offices and agencies are covered under Section 3 of  
23 Republic Act No. 11032, and shall, when applicable, develop  
24 electronic versions of licenses, clearances, permits, certifications  
25 or authorizations with the same level of authority as that of the  
26 signed hard copy which may be printed by the applicants or  
27 requesting parties in the convenience of their offices.

28 x. Adoption of Working Schedules to Serve Applicants or  
29 Requesting Parties. - Heads of ministries, offices and agencies  
30 which render government services shall adopt appropriate  
31 working schedules to ensure that all applicants or requesting  
32 parties who are within their premises prior to the end of official  
33 working hours are attended to and served even during lunch  
34 break and after regular working hours.

35 xi. Identification Card. - All employees transacting with the  
36 public shall be provided with an official identification card which  
37 shall be visibly worn during office hours. The identification cards  
38 must include the full name of the employee, the employee's  
39 position, title, name of office and the office seal or logo. The  
40 information on the identification card must be readable, such that  
41 the officials and employees concerned can be easily identified by  
42 the applicant or requesting party. For ministries, offices and

1 agencies where an identification card is not used, the officers and  
2 employees must wear name plates or other means of  
3 identification.

4 xii. Establishment of Public Assistance/Complaints Desk. —  
5 Each ministry, office or agency shall establish a public  
6 assistance/complaints desk in all their offices.

7 (b) Submit annual performance reports. - All heads or other  
8 responsible officers of ministries, offices and agencies of the  
9 Bangsamoro Government and of government-owned or controlled  
10 corporations shall, within forty-five (45) working days from the end of  
11 the year, render a performance report of the ministry, agency or office or  
12 corporation concerned. Such report shall be open and available to the  
13 public within regular office hours.

14 (c) Process documents and papers expeditiously. - All official papers  
15 and documents must be processed and completed within a reasonable  
16 time from the preparation thereof and must contain, as far as  
17 practicable, not more than three (3) signatories therein. In the absence  
18 of duly authorized signatories, the official next-in-rank or officer in  
19 charge shall sign for and in their behalf.

20 (d) Act immediately on the public's personal transactions. - All public  
21 officials and employees must attend to anyone who wants to avail  
22 himself of the services of their ministries, agencies, offices and must, at  
23 all times, act promptly and expeditiously.

24 (e) Make documents accessible to the public. - All public documents  
25 must be made accessible to, and readily available for inspection by, the  
26 public within reasonable working hours.

27 **Article 168.** *System of Incentives and Rewards.* - A system of annual  
28 incentives and rewards is hereby established in order to motivate and inspire  
29 public servants to uphold the highest standards of ethics. For this purpose, a  
30 Committee on Awards to Outstanding Public Officials and Employees is hereby  
31 created composed of the following: Senior Deputy Chief Minister as chairman,  
32 Bangsamoro Mufti, representative holding a position of responsibility from an  
33 accredited non-government organization, and two representatives from  
34 organizations of Bangsamoro Government employees one each from the second  
35 and first level positions to be appointed by the Chief Minister from the  
36 nominees of their respective Boards.

37 It shall be the task of this Committee to conduct a periodic, continuing  
38 review of the performance of public officials and employees, in all the branches  
39 and agencies of the Bangsamoro Government and establish a system of annual  
40



1 incentives and rewards to the end that due recognition is given to public  
2 officials and employees of outstanding merit on the basis of the standards set  
3 forth in this Code.  
4

5 The conferment of awards shall take into account, among other things,  
6 the following: the years of service and the quality and consistency of  
7 performance, the obscurity of the position, the level of salary, the unique and  
8 exemplary quality of a certain achievement, and the risks or temptations  
9 inherent in the work. Incentives and rewards to public officials and employees  
10 of the year to be announced in public ceremonies honoring them may take the  
11 form of bonuses, citations, directorships in government-owned or controlled  
12 corporations, local and foreign scholarship grants, paid vacations and the like.  
13 They shall likewise be automatically promoted to the next higher position with  
14 the commensurate salary suitable to their qualifications. In case there is no  
15 next higher position or it is not vacant, said position shall be included in the  
16 budget of the office in the next Bangsamoro General Appropriations Law. The  
17 Committee on Awards shall adopt its own rules to govern the conduct of its  
18 activities.  
19

20 **Article 169. Prohibited Acts and Transactions.** - In addition to acts and  
21 omissions of public officials and employees now prescribed in the Constitution  
22 and existing laws, the following shall constitute prohibited acts and  
23 transactions of any public official and employee and are hereby declared to be  
24 unlawful:  
25

26 (a) Financial and material interest. - Public officials and employees shall  
27 not, directly or indirectly, have any financial or material interest in any  
28 transaction requiring the approval of their office.  
29

30 (b) Outside employment and other activities related thereto. - Public  
31 officials and employees during their incumbency shall not:  
32

33 (1) Own, control, manage or accept employment as officer,  
34 employee, consultant, counsel, broker, agent, trustee or nominee  
35 in any private enterprise regulated, supervised or licensed by their  
36 office unless expressly allowed by law;  
37

38 (2) Engage in the private practice of their profession unless  
39 authorized by the Constitution or law, provided, that such practice  
40 will not conflict or tend to conflict with their official functions; or  
41

42 (3) Recommend any person to any position in a private enterprise  
43 which has a regular or pending official transaction with their office.  
44

45 These prohibitions shall continue to apply for a period of one (1)  
46 year after resignation, retirement, or separation from public office,

1           except in the case of subparagraph (b) (2) above, but the  
2           professional concerned cannot practice his profession in  
3           connection with any matter before the office he used to be with, in  
4           which case the one-year prohibition shall likewise apply.  
5

6           (c) Disclosure and/or misuse of confidential information. - Public  
7           officials and employees shall not use or divulge, confidential or  
8           classified information officially known to them by reason of their office  
9           and not made available to the public, either:

10  
11           (1) To further their private interests, or give undue advantage to  
12           anyone; or

13  
14           (2) To prejudice the public interest.  
15

16           (d) Solicitation or acceptance of gifts. - Public officials and employees  
17           shall not solicit or accept, directly or indirectly, any gift, gratuity, favor,  
18           entertainment, loan or anything of monetary value from any person in  
19           the course of their official duties or in connection with any operation  
20           being regulated by, or any transaction which may be affected by the  
21           functions of their office.  
22

23           Nothing in this Code shall be construed to restrict or prohibit any  
24           educational, scientific or cultural exchange programs subject to national  
25           security requirements.  
26

27           **Article 170. *Statements and Disclosure.*** - Public officials and employees  
28           have an obligation to accomplish and submit declarations under oath of, and  
29           the public has the right to know, their assets, liabilities, net worth and  
30           financial and business interests including those of their spouses and of  
31           unmarried children under eighteen (18) years of age living in their households.  
32

33           (A) *Statements of Assets and Liabilities and Financial Disclosure.* - All  
34           public officials and employees, except those who serve in an honorary  
35           capacity, laborers and casual or temporary workers, shall file under  
36           oath their Statement of Assets, Liabilities and Net Worth and a  
37           Disclosure of Business Interests and Financial Connections and those  
38           of their spouses and unmarried children under eighteen (18) years of  
39           age living in their households.  
40

41           The two documents shall contain information on the following:  
42

43           (a) real property, its improvements, acquisition costs, assessed  
44           value and current fair market value;

45           (b) personal property and acquisition cost;

- 1 (c) all other assets such as investments, cash on hand or in banks,  
2 stocks, bonds, and the like;  
3 (d) liabilities, and;  
4 (e) all business interests and financial connections.  
5

6 The documents must be filed:  
7

- 8 (a) within thirty (30) days after assumption of office;  
9 (b) on or before April 30, of every year thereafter; and  
10 (c) within thirty (30) days after separation from the service.  
11

12 All public officials and employees required under this section to file  
13 the aforesaid documents shall also execute, within thirty (30) days  
14 from the date of their assumption of office, the necessary authority in  
15 favor of the Ombudsman to obtain from all appropriate Bangsamoro  
16 Government agencies, including the Bureau of Internal Revenue, such  
17 documents as may show their assets, liabilities, net worth, and also  
18 their business interests and financial connections in previous years,  
19 including, if possible, the year when they first assumed any office in the  
20 Government.  
21

22 Husband and wife who are both public officials or employees may  
23 file the required statements jointly or separately.  
24

25 The Statements of Assets, Liabilities and Net Worth and the  
26 Disclosure of Business Interests and Financial Connections shall be  
27 filed by:  
28

- 29 (1) Chief Minister, Deputy Chief Ministers, Ministers and  
30 members of Parliament, with the Deputy Ombudsman for  
31 Mindanao;  
32 (2) Shari'ah Justices, with the Clerk of Court of the Supreme  
33 Court; Shari'ah Judges, with the Court Administrator;  
34 (3) Regional and local officials and employees, with the Deputy  
35 Ombudsman for Mindanao;  
36 (4) All other public officials and employees, defined in Republic  
37 Act No. 3019, as amended, with the Civil Service Commission.  
38

39 (B) *Identification and disclosure of relatives.* - It shall be the duty of  
40 every public official or employee to identify and disclose, to the best of  
41 his knowledge and information, his relatives in the Bangsamoro  
42 Government and National Government in the form, manner and  
43 frequency prescribed by the Civil Service Commission.  
44

45 (C) *Accessibility of documents.* - (1) Any and all statements filed under  
46 this Code, shall be made available for inspection at reasonable hours.

1  
2 (2) Such statements shall be made available for copying or  
3 reproduction after ten (10) working days from the time they are filed  
4 as required by law.

5  
6 (3) Any person requesting a copy of a statement shall be required to  
7 pay a reasonable fee to cover the cost of reproduction and mailing of  
8 such statement, as well as the cost of certification,

9  
10 (4) Any statement filed under this Code shall be available to the  
11 public for a period of ten (10) years after receipt of the statement.  
12 After such period, the statement may be destroyed unless needed in  
13 an ongoing investigation.

14  
15 (5) the pertinent provisions of Executive Order No. 2 series of 2016  
16 (Freedom of Information) shall be observed.

17  
18 (D) *Prohibited acts.* - It shall be unlawful for any person to obtain or use  
19 any statement filed under this article for:

- 20  
21 (a) any purpose contrary to morals or public policy; or  
22 (b) any commercial purpose other than by news and  
23 communications media for dissemination to the general public.  
24

25 **Article 171. Divestment.** - A public official or employee shall avoid  
26 conflicts of interest at all times. When a conflict of interest arises, he shall  
27 resign from his position in any private business enterprise within thirty (30)  
28 days from his assumption of office and/or divest himself of his shareholdings  
29 or interest within sixty (60) days from such assumption.

30  
31 The same rule shall apply where the public official or employee is a  
32 partner in a partnership.

33  
34 The requirement of divestment shall not apply to those who serve the  
35 Bangsamoro Government in an honorary capacity nor to laborers and casual or  
36 temporary workers.

37  
38 a. Conflict of Interest occurs:

- 39  
40 1. When the official or employee is:  
41 i. a substantial stockholder; or  
42 ii. a member of the Board of Directors; or  
43 iii. an officer of the corporation; or  
44 iv. an owner or has substantial interest in a business; or  
45 v. a partner in a partnership; and  
46



1 supports: *provided*, that public officers and employees holding political offices  
2 may take part in political and electoral activities but it shall be unlawful for  
3 them to solicit contributions from their subordinates or subject them to any of  
4 the acts involving subordinates prohibited in the BARMM Election Code.

5  
6 **Article 176.** *Additional or Double Compensation.* No elective or  
7 appointive public officer or employee shall receive additional or double  
8 compensation unless specifically authorized by law nor accept without the  
9 consent of the President, any present, emolument, office, or title of any kind  
10 from any foreign state.

11  
12 Pensions and gratuities shall not be considered as additional, double or  
13 indirect compensation.

14  
15 **Article 177.** *Limitations on Employment of Laborers.* Laborers, whether  
16 skilled, semi-skilled or unskilled, shall not be assigned to perform clerical  
17 duties.

18  
19 **Article 178.** *Prohibition on Detail or Reassignment.* No detail or  
20 reassignment whatever shall be made within three (3) months before any  
21 election.

22  
23 **Article 179.** *Coverage of Nepotism.* The nepotism rule covers all kinds  
24 of appointments whether original, promotion, transfer, and reemployment  
25 regardless of status, including casual, contractual and coterminous but are not  
26 primarily confidential. This rule shall also apply to designation.

27  
28 **Article 180.** *Nepotism.* All appointments in any ministry,  
29 instrumentality, or office in BARMM, including government-owned or controlled  
30 corporations, made in favor of a relative of the appointing or recommending  
31 authority, or of the head or chief of the bureau or office, or of the persons  
32 exercising immediate supervision over him/her, are hereby prohibited.

33  
34 As used in this article, the word “relative” and members of the family  
35 referred to are those related within the third degree either of consanguinity or  
36 of affinity.

37  
38 **Article 181.** *Exemption from the Rules on Nepotism.* The following are  
39 exempted from the operation of the rules on nepotism in the BARMM: (a)  
40 persons employed in a confidential capacity, (b) teachers, (c) physicians, (d)  
41 scientific and technology personnel under RA 8439, (e) personal security of  
42 appointive and elective officials: *Provided*, however, that in each particular  
43 instance full report of such appointment shall be made to the CSC-BARMM.

1 The restriction mentioned in Article 180 shall not be applicable to the  
2 case of a member of any family who, after his or her appointment to any  
3 position in an office or bureau, contracts marriage with someone in the same  
4 office or bureau, in which event the employment or retention therein of both  
5 husband and wife may be allowed.  
6

7 In order to give immediate effect to these provisions, cases of previous  
8 appointments which are in contravention hereof shall be corrected by transfer,  
9 and pending such transfer, no promotion or salary increase shall be allowed in  
10 favor  
11

12 **Article 182.** *Nepotism in Local Government.* In the local government  
13 career service, the prohibition extends to the relatives of the appointing or  
14 recommending officer/authority within the fourth civil degree of consanguinity  
15 or affinity. However, for the non-career service in the local government, the  
16 prohibition extends to the third degree either of consanguinity or of affinity of  
17 the appointing or recommending officer/authority, or head of office, or of the  
18 person exercising immediate supervision over the appointee.  
19

20  
21 **BOOK IV**  
22 **PROTECTION OF CIVIL SERVICE ELIGIBLES**  
23

24 **Chapter I**  
25 **SECURITY OF TENURE**  
26

27 **Article 183.** *Protection of the Security of Tenure.* It is hereby declared  
28 the policy of the Bangsamoro Autonomous Region to protect the security of  
29 tenure of civil service officers and employees in the various agencies in BARMM  
30 and of local governments, state colleges and universities expressly authorized  
31 by law, including government-owned or controlled corporations with original  
32 charters within the jurisdiction of BARMM, without sacrificing the need to  
33 promote morale, efficiency in the civil service.  
34

35 **Article 184.** *Removal or Suspension for Cause.* No officer or employee of  
36 the civil service shall be removed or suspended except for cause provided by  
37 law.  
38

39 **Article 185.** *Notice and Hearing Required.* In removal or suspension of  
40 officer or employee of BARMM, a valid cause must exist and only after due  
41 notice and hearing.  
42

43 **Article 186.** *Roster of Bangsamoro Eligibles.* The Bangsamoro  
44 Government shall establish a Roster of Bangsamoro Eligibles which shall be

1 used as reference by the different ministries, offices, or agencies in case of  
2 vacancies of positions.

3  
4  
5 **Chapter II**  
6 **RIGHT TO SELF-ORGANIZATION**  
7

8 **Article 187.***General Policy.* The right to self- organization shall not be  
9 denied to government employees.

10  
11 **Article 188.** *Self-organization.* All Bangsamoro government employees  
12 can form, join or assist employees' organizations of their own choosing for the  
13 furtherance and protection of their interests. They can also form, in  
14 conjunction with appropriate government authorities, labor-management  
15 committees, works councils and other forms of workers' participation schemes  
16 to achieve the same objectives.

17  
18 **Article 189.***Disqualified Employee.* High-level employees whose  
19 functions are normally considered as policy-making or managerial or whose  
20 duties are of a highly confidential nature shall not be eligible to join the  
21 organization of rank-and-file Bangsamoro Government employees.

22  
23 **Article 190.** *Non-Discrimination.* Bangsamoro Government employees  
24 shall not be discriminated against in respect of their employment by reason of  
25 their membership in employees' organizations or participation in the normal  
26 activities of their organization. Their employment shall not be subject to the  
27 condition that they shall not join or shall relinquish their membership in the  
28 employees' organizations.

29  
30 **Article 191.***Non-Interference.* Bangsamoro government authorities shall  
31 not interfere in the establishment, functioning or administration of  
32 Bangsamoro government employees' organizations through acts designed to  
33 place such organizations under the control of Bangsamoro government  
34 authority.

35  
36 **Article 192.** *Applicability of Laws.* The existing laws, rules and  
37 regulations on the right to self-organization shall apply.

38  
39  
40 **Chapter III**  
41 **HOURS OF WORK, OVERTIME, UNDERTIME**  
42

43 **Article 193.***Working Hours.* All Bangsamoro government officials and  
44 employees are required to render eight (8) working hours a day for five working  
45 days a week or a total of forty (40) hours a week, exclusive of time for lunch.



1  
2 The normal working hours of Bangsamoro government officials and  
3 employees shall be from 8:00 a.m. to 12:00 a.m. and 1:00 p.m. to 5:00 p.m.  
4

5 **Article194.** *Work Schedule Shifting.* In the exigency of the service, or  
6 when necessary by the nature of the work of a particular ministry, office or  
7 agency and upon representations with the Commission by the Ministry heads  
8 concerned, requests for the rescheduling or shifting of work schedule for a  
9 number of working days lesser than the required five (5) days may be allowed  
10 provided that Bangsamoro Government officials and employees render a total  
11 of forty hours a week and provided further that the public is assured of core  
12 working hours of eight in the morning to five in the afternoon continuously for  
13 the duration of the entire work week.  
14

15 **Article195.***Flexible Working Hours.* In the event Bangsamoro officials  
16 and employees elect to adopt flexi-time in reporting for work, in no case shall  
17 the working hours be reduced.  
18

19 The flexible working hours shall not start earlier than 7:00 o'clock in  
20 the morning and end later than 7:00 o'clock in the evening, hence the public is  
21 still assured of the core working hours of eight o'clock in the morning to five  
22 o'clock in the afternoon. The public must be assured of a continuous service  
23 during the period of 12:00 noon to 1:00 o'clock in the afternoon.  
24

25 Ministers of Ministries, heads of offices and agencies shall have the  
26 authority to approve office working hours, provided that in such working hours  
27 officials and employees shall render not less than eight hours a day for five  
28 days a week for a total of forty hours. The Flexible Working Hours adopted by  
29 the official or employee shall thereafter be his regular working hours which  
30 cannot be occasionally or periodically changed at his convenience.  
31

32 A report of flexible working hours adopted by the ministry, office or  
33 agency shall be submitted to the CSC-BARMM within thirty (30) days of its  
34 implementation.  
35

36 **Article196.***Record of Attendance.* All Bangsamoro officers and  
37 employees shall record their daily attendance on the proper form or, whenever  
38 possible, have them registered on the bundy clock or Biometric Attendance  
39 Monitoring System (BAMS). Any other means of recording attendance may be  
40 allowed provided their respective names and signatures as well as the time of  
41 their actual arrival to and departure from office are indicated, subject to  
42 verification. This shall include those serving in the field, that is, outside the  
43 office proper, and those on the water or service rendered on board a vessel as  
44 the usual place of work. The Record of Attendance which shall be kept in a  
45 conspicuous place, shall be in the custody of a responsible officer who shall  
46 monitor the arrival, departure of officials and employees.

1  
2 All other Bangsamoro officials who are not required to use the bundy  
3 clock or BAMS shall hereinafter record their attendance in the manner  
4 prescribed by the ministry, office, or agency and their absences shall be  
5 covered with the requisite leave of absence.  
6

7 **Article 197. Overtime Services.** When the interest of public service so  
8 requires, the daily hours of work for Bangsamoro officers and employees may  
9 be extended by the head of the ministry, office or agency concerned, which  
10 extension shall be fixed in accordance with the nature of work. They may also  
11 be requested to render overtime work which shall be paid except when  
12 rendered in the exigency of the service or when service requires them to work  
13 urgently, subject to existing regulations.  
14

15 **Article 198. Non-Offsetting.** Off-setting of tardiness or absences by  
16 working the equivalent number of minutes or hours by which a Bangsamoro  
17 officer or employee has been tardy beyond the regular or approved working  
18 hours of the employees concerned shall not be allowed.  
19

20 **Article 199. Undertime.** Any Bangsamoro employee who incurs  
21 undertime regardless of the number of minutes/hours, ten (10) times a month  
22 in a semester or at least two (2) consecutive months during the year shall be  
23 subject to administrative sanctions prescribed under CSC MC No.04, s. 1991  
24 (Policy on Absenteeism and Tardiness).  
25

## 26 **Chapter IV**

### 27 **REHABILITATION PRIVILEGE**

28  
29

30 **Article 200. Coverage.** All Bangsamoro personnel with permanent,  
31 temporary, casual or contractual appointments, including those with fixed  
32 terms of office, may avail themselves of the Rehabilitation Privilege during their  
33 employment. Consultants and those hired under contract of service or job  
34 order cannot avail themselves of the privilege because they are not government  
35 employees.  
36

37 **Article 201. Availment.** Bangsamoro officials and employees may be  
38 entitled to the Rehabilitation Privilege for a maximum period of six (6) months  
39 for wounds and/or injuries sustained while in the performance of official  
40 duties. The duration, frequency and terms of availing of the privilege shall be  
41 based on the recommendation of medical authority. Hence, availing of the  
42 privilege may be for less than six (6) months, or may be on half-time basis or  
43 an intermittent schedule as determined by medical authorities provided that  
44 the cumulative total period of availing of the privilege will not exceed six (6)  
45 months.

1  
2           Illness or sickness resulting from or aggravated by working conditions  
3 or the environment cannot be a basis for availing of the Rehabilitation Privilege  
4 even if the same may be compensable under the law and regulations of the  
5 Employees Compensation Commission (ECC).  
6

7           **Article 202.***Performance of Duty.* For availing oneself of the  
8 Rehabilitation Privilege, performance of duty means situation wherein the  
9 official or employee was already at work. The same privilege may be extended to  
10 officials and employees in situations where the official or employee meets an  
11 accident while engaged in activities inherent to the performance of his or her  
12 duties, including being on Official Business outside of his or her station,  
13 Official Travel, authorized Overtime, Detail Order, and Special Assignment  
14 Orders.  
15

16           Injuries from accidents that occurred while the official or employee was  
17 going to work and going home from work may be considered sustained while in  
18 the performance of official duties.  
19

20           Ministry, office or agency heads, in the exercise of sound discretion,  
21 shall examine and consider the prevailing or circumstantial factors or  
22 conditions of the government official or employee who intends to avail himself  
23 or herself of the Rehabilitation Privilege.  
24

25           These may include, but shall not be limited to, the following:  
26

- 27           a. Established intent on the part of the official or employee in going to  
28 work from home or going home from work;  
29
- 30           b. The official or employee is in his or her usual route in going to work  
31 from home and going home from work;  
32
- 33           c. Reasonable proximity of the accident to the place of work or  
34 agency's premises; and  
35
- 36           d. Wounds or injuries were sustained within reasonable time from  
37 leaving his or her home or recorded departure from the place of  
38 work.  
39

40           Other rightfully established evidence to merit the entitlement of an  
41 official or employee to Rehabilitation Privilege may be considered.  
42

43           **Article 203.***Non-deduction.* Absence of work during the period of  
44 Rehabilitation Privilege shall not be deducted from the accumulated sick or  
45 vacation leave credited of the official or employee.  
46



1 removal made as a result of reorganization, giving rise to a claim for  
2 reinstatement or reappointment by an aggrieved party:

- 3
- 4 a. Where there is a significant increase in the number of positions in  
5 the new staffing pattern of the ministry, office or agency concerned;  
6
  - 7 b. Where an office is abolished and other performing substantially the  
8 same functions is created;  
9
  - 10 c. Where incumbents are replaced by those less qualified in terms of  
11 status of appointment, performance and merit;  
12
  - 13 d. Where there is a reclassification of offices in the ministry, office or  
14 agency concerned and the reclassified offices perform substantially  
15 the same function as the original offices;  
16
  - 17 e. Where the removal violates the order of separation provided in  
18 Article 185 hereof.  
19

20 **Article 208. Order of Removal.** In the separation of human resource  
21 pursuant to reorganization, the following order of removal shall be followed:

- 22 a. Casual employees with less than five (5) years of government service;
- 23 b. Casual employees with five (5) years or more of government service;
- 24 c. Employees holding temporary appointments; and
- 25 d. Employees holding permanent appointments: provided, that those in  
26 the same category as enumerated above, who are least qualified in  
27 terms of performance and merit shall be laid first, length of service  
28 notwithstanding  
29

30 **Article 209. Preference of Officers and Employees Holding Permanent**  
31 *Appointments.* Officers and employees holding permanent appointments shall  
32 be given preference for appointment to the new positions in the approved  
33 staffing pattern comparable to their former position or in case there are not  
34 enough comparable positions, to positions next lower in rank.

35  
36 No new employees shall be taken in until all permanent officers and  
37 employees have been appointed, including temporary and casual employees  
38 who possess the necessary qualification requirements, among which is the  
39 appropriate civil service eligibility, for permanent appointment to positions in  
40 the approved staffing pattern, in case there are still positions to be filled,  
41 unless such positions are policy-determining, primarily confidential or highly  
42 technical in nature.  
43

1           **Article 210.** *Preference for Appointment in Other Agencies.* Officers and  
2 employees holding permanent appointments shall be given preference for  
3 appointment in other agencies if they meet the qualification requirements of  
4 the positions therein.

5  
6           **Article 211.** *Creation of Placement Committee.* In order that the best  
7 qualified and most deserving persons shall be appointed in any reorganization,  
8 there shall be created a Placement Committee in each appointment shall be  
9 given preference for appointment in the judicious selection and placement of  
10 human resource. The Committee shall consist of two (2) members appointed by  
11 the head of the ministry or agency, a representative of the appointing authority,  
12 and two (2) members duly elected by the employees holding positions in the  
13 first and second levels of the career service: provided, that if there is a  
14 registered employee association with a majority of the employees as members,  
15 that employee association shall also have a representative in the Committee:  
16 provided, further that immediately upon approval of the staffing pattern of the  
17 ministry or agency concerned, such staffing pattern shall be made known to all  
18 officers and employees of the agency who shall be invited to apply for any of the  
19 positions authorized therein. Said application shall be considered by the  
20 Committee in the placement and selection of human resource.

21  
22           **Article 212.** *List of Human Resource to be Made Known.* A list of the  
23 human resource appointed to the authorized positions in the approved staffing  
24 pattern shall be made known to all the officers and employees of the ministry  
25 or agency. Any of such officers and employees aggrieved by the appointments  
26 made may file an appeal with the appointing authority who shall make a  
27 decision within thirty (30) days from the filing thereof.

28  
29           **Article 213.** *Appeal to the Civil Service Commission – Bangsamoro*  
30 *Autonomous Region in Muslim Mindanao.* An officer or employee who is still not  
31 satisfied with the decision of the appointing authority may further appeal  
32 within ten (10) days from the receipt thereof to the CSC-BARMM which shall  
33 render a decision thereon within thirty (30) days and whose decision shall be  
34 final and executory.

35  
36           **Article 214.** *Reinstatement or Reappointment in case Separation is in*  
37 *Violation of the Code.* All officers and employees who are found by the CSC-  
38 BARMM to have been separated in violation of the provisions of this Code, shall  
39 be ordered reinstated or reappointed as the case may be without loss of  
40 seniority and shall be entitled to full pay for the period of separation. Unless  
41 also separated for cause, all officers and employees, who have been separated  
42 pursuant to reorganization shall, if entitled thereto, be paid the appropriate  
43 separation pay and retirement and other benefits under existing laws within  
44 ninety (90) days from the date of the effectivity of their separation or from the  
45 date of the receipt of the resolution of their appeals as the case may be:

1 provided, that application for clearance has been filed and no action thereon  
2 has been made by the corresponding ministry or agency. Those who are not  
3 entitled to said benefits shall be paid a separation gratuity in the amount  
4 equivalent to one (1) month salary for every year of service. Such separation  
5 pay and retirement benefits shall have priority of payment out of the savings of  
6 the ministry or agency concerned.

7  
8  
9  
10  
11 **BOOK V**  
12 **PROCEDURE ON DISCIPLINARY ACTIONS**

13  
14 **Chapter I**  
15 **PRELIMINARIES**  
16

17 **Article 215.** *Coverage.* The provisions of this Book shall apply to  
18 disciplinary administrative cases or matters brought before the Office of the  
19 Chief Minister, the different ministries, offices or agencies of the Bangsamoro  
20 Autonomous Region in Muslim Mindanao (BARMM), including its component  
21 local government units (LGUs) and government-owned or controlled  
22 corporations (GOCCs) with original charters in the Bangsamoro except as may  
23 be provided by law enacted by the Bangsamoro Parliament or the Congress. As  
24 to non-disciplinary in nature cases, the same shall be brought directly before  
25 the CSC-BARMM.

26  
27 **Article 216.** *Construction.* The provisions of Book V shall be liberally  
28 construed in order to promote their objective in obtaining a just, speedy, and  
29 inexpensive disposition of administrative cases.  
30  
31  
32  
33  
34  
35  
36

37 **Chapter II**  
38 **JURISDICTION AND VENUE OF ACTIONS**  
39

40 **Article 217.** *Jurisdiction of the Office of the Chief Minister.* The Office of  
41 the Chief Minister (OCM) shall have primary jurisdiction over administrative  
42 cases or matters filed or brought before it by any person against any officials or  
43 employees of the different offices, agencies, commissions or bureaus under it. It  
44 shall also have the same jurisdiction over Deputy Chief Ministers, Ministers,  
45 and Bangsamoro Director General of the different ministries, as well as the  
46 heads of the GOCCs of the Bangsamoro Autonomous Region.

1  
2 The Attorney General’s Office shall hear and try administrative cases  
3 falling under the jurisdiction of the OCM. Thereafter, it shall submit its  
4 findings and recommendation to the Chief Minister for final action.

5  
6 **Article 218.** *Jurisdiction of the Different Ministries and GOCCs.* All  
7 ministries and GOCCs with original charter shall have jurisdiction over  
8 administrative cases or matters filed or brought before it by any person against  
9 any of their respective officials or employees, except those officials mentioned  
10 in the immediately preceding section.

11  
12 **Article 219.** *Jurisdiction of the LGUs.* The jurisdiction of the LGUs shall  
13 be in accordance with the provisions of the Local Government Code of the  
14 Bangsamoro Autonomous Region.

15  
16 **Article 220.** *Referral of Cases to Proper Disciplining Authority.* Cases  
17 wrongly filed shall be referred by the concerned office or ministry to the proper  
18 disciplining authority as specified in this Book. Referral to the OCM through  
19 the Office of the Attorney General may also be made when in the honest, fair,  
20 and reasonable judgment of the concerned ministry, office or agency, after  
21 proper evaluation, the case could be best heard and tried by the former. A  
22 statement under oath to this effect shall be made by the referring official or  
23 disciplining authority. A proper endorsement or referral, together with the  
24 complaint and its attachments, shall be transmitted to the OCM.

25  
26  
27  
28  
29 **Chapter III**  
30 **COMPLAINT**

31  
32 **Article 221.** *Complaint Defined; Who May Initiate.* A complaint is a  
33 means of bringing to the attention of the proper disciplining authority the  
34 commission of infraction by the person complained of. It may be initiated by  
35 the disciplining authority *motu proprio* or upon a valid complaint filed by any  
36 person.

37  
38 **Article 222.** *Requisites of a Valid Complaint.* A complaint to be valid  
39 must be in writing, written in a clear and concise language as to properly  
40 apprise the person/s complained of, and must be subscribed and sworn to by  
41 the complainant. However, in cases initiated by the proper disciplining  
42 authority, a show cause order why no formal investigation should be conducted  
43 against the person complained is sufficient.

44  
45 The complaint shall contain the following:



- 1  
2 a. Full name and address of the complainant;  
3 b. Full name and address of the person complained of, his position and  
4 office;  
5 c. A narration of the relevant and material facts which shows the acts  
6 or omissions complained of; and  
7 d. A certification of non-forum shopping.  
8

9 The same must also be accompanied by certified true copies of  
10 documentary evidence and affidavits of witnesses, if any. The absence of any of  
11 the aforementioned requirements may be a ground to dismiss the complaint  
12 without prejudice to its refiling upon compliance with the above requirements.  
13

14 **Article 223.** *Anonymous Complaint.* Considering the peculiar  
15 circumstances surrounding the Bangsamoro, as well as to encourage the  
16 reporting of any improper or illegal act or omission of public officials and  
17 employees, anonymous complaint may be allowed. The same has to comply  
18 with the requirements of a valid complaint except as to the requirements (a) &  
19 (d), Article 222 of this Book as well as the required subscription, which may  
20 either be in the form of an anonymous complainant or concerned employees or  
21 individuals.  
22

23 **Article 224.** *Obligation in Case of Anonymous Complaint.* The proper  
24 disciplining authority must faithfully evaluate and validate the trustworthiness  
25 of the allegations and the genuineness of the documentary evidence and act on  
26 it accordingly. If he is convinced that the anonymous complaint is supported  
27 by obvious truth or such documentary or other evidence showing the  
28 probability that the offense was indeed committed, he shall require the person  
29 complained of to file his counter-affidavit under oath within ten (10) days from  
30 receipt of order.  
31

32 **Article 225.** *Effect of the Pendency of Action.* No official or employee  
33 shall be allowed to retire, resign or transfer during the pendency of the action  
34 against him or her. This prohibition shall last until the final resolution of  
35 his/her case and meted out the penalty imposed, if found guilty of the charge,  
36 or after ninety (90) days from the filing of the complaint if the disciplining  
37 authority failed, without justifiable reason, to dispose of the case without  
38 prejudice to the continuation of the investigation.  
39

40 **Article 226.** *Withdrawal of the Complaint.* If the complaint is withdrawn  
41 by the complainant during its pendency, the same shall not result in its  
42 outright dismissal or discharge of the person complained of from liability  
43 except when the offense is purely personal between the complainant and the  
44 person complained of and there is no apparent injury to the Bangsamoro  
45 Autonomous Region. In any case, the withdrawal shall be subject to the  
46 approval of the disciplining authority.



1 meritorious cases, however, the disciplining authority may extend such  
2 investigation for a period of not more than ten (10) days from the expiration of  
3 the original period.  
4

5 **Article 231.** *Investigation Report.* Within five (5) days from such  
6 termination, the investigation officer, body or committee shall submit the  
7 Investigation Report, together with his recommendation and the complete  
8 records of the case, to the proper disciplining authority for his or her  
9 immediate action. The latter may adopt the investigator's recommendation or  
10 require further investigation for a non-extendible period of five (5) days. In all  
11 instances, the disciplining authority shall dismiss the complaint when, in his  
12 fair and reasonable judgment, there is no prima facie case. The parties shall  
13 then be furnished copy of the order with sufficient explanation of the reason/s  
14 for such dismissal.  
15  
16  
17

## 18 **Chapter V** 19 **FORMAL CHARGE** 20

21 **Article 232.** *Issuance of Formal Charge.* Within fifteen (15) days from  
22 receipt of the Investigation Report, and a prima facie case has been properly  
23 established, the disciplining authority shall issue a Formal Charge addressed  
24 to the respondent, copy furnished the complainant. The same must contain the  
25 following:  
26

- 27 a. Full name and address of the complainant;
- 28 b. Full name and address of the respondent, his/her position and  
29 office;
- 30 c. Specification and nature of the charge/s;
- 31 d. A brief statement of the relevant and material facts;
- 32 e. A directive to the respondent to file his/her Answer within a period  
33 of ten (10) days; and
- 34 f. Place and date of issuance.  
35

36 The Formal Charge shall be accompanied by copies of the complete  
37 records of the case. The right to counsel of the respondent shall be recognized  
38 in all stages of the proceedings but in no case shall be a cause to ask extension  
39 of time to comply with the directives of the proper disciplining authority.  
40

41 **Article 233.** *Prohibited Pleadings.* The following pleadings shall not be  
42 entertained by the proper disciplining authority, to wit:  
43

- 44 a. Bill of particulars or request for clarification;
- 45 b. Motion to dismiss on any grounds;
- 46 c. Motion for reconsideration; and

1 d. Motion for extension of time to file answer.

2  
3 Any of the foregoing grounds may, however, be incorporated in the  
4 answer of the respondent as part of his or her defenses.

5  
6  
7 **Chapter VI**  
8 **ANSWER**  
9

10 **Article 234.** *Contents.* The answer must be in writing and subscribed  
11 and sworn to before a notary public. It shall contain the following:

- 12  
13 a. Full name and address of the complainant;  
14 b. Full name and address of the respondent;  
15 c. Specification and nature of the charge/s;  
16 d. Statement of material dates showing the date when the Formal  
17 Charge was received and the date when the answer was filed;  
18 e. Defenses and brief counter-statement of the relevant and material  
19 facts;  
20 f. A statement whether respondent elects to have a formal  
21 investigation; and  
22 g. The relief/s prayed for.  
23

24 **Article 235.** *Period to File.* The respondent shall have ten (10) days from  
25 receipt of the Formal Charge within which to file his/her answer. Failure to do  
26 so shall be considered a waiver on his/her part and the case shall be decided  
27 on the basis of the records available within a period of fifteen (15) days.  
28  
29

30 **Chapter VII**  
31 **TAKING OF SOLEMN OATH**  
32

33 **Article 236.** *Solemn Oath Meaning.* As used in this Book, a solemn oath  
34 shall be understood to mean a moral asseveration in accordance with a  
35 person’s religious or cultural belief, in the nature of an oath in the presence of  
36 a duly authorized person, in connection with a pending case, to the effect that  
37 all statements or allegations made in relation thereto by the parties and/or  
38 their witnesses are true and correct to their personal knowledge. It is separate  
39 and distinct from the usual oath or subscription made before a notary public  
40 or person authorized to administer oath.  
41

42 **Article 237.** *When Required.* The proper disciplining authority, at any  
43 stage of the proceeding, may require the parties to take a solemn oath if, in  
44 his/her sound discretion, such taking may facilitate or help in ascertaining the  
45 truth in relation to a case pending before him/her. It shall not be mandatory

1 for him/her to require such solemn oath and the same shall not be conclusive  
2 proof as to the accuracy of the testimony or statement given.

3  
4 **Article 238.** *Who May Administer.* The Bangsamoro Mufti or those he  
5 may duly authorize in writing may administer the taking of a solemn oath in  
6 cases of Muslims. As to non-Muslims or non-Moro Indigenous People, the same  
7 shall be administered by the hearing officers.

8  
9 **Article 239.** *Manner of Taking.* Before an oath is taken, the  
10 administering officer shall see to it that the concerned person fully  
11 understands the consequences of the oath and that the same is voluntary on  
12 his/her part. The swearing must be in the language or dialect known to the  
13 person taking an oath. He/she shall be given a reasonable period of time to  
14 reflect upon the consequences of taking such oath.

15  
16 **Article 240.** *Certification.* The administering officer shall issue the  
17 necessary certification, under his/her official seal and signature, specifying  
18 whether the concerned person actually took or refused to take the solemn oath  
19 as well as the place and date of its taking. His/her observations must also be  
20 indicated therein. The certification shall form part of the record of the case.

21  
22  
23  
24  
25 **Chapter VIII**  
26 **PREVENTIVE SUSPENSION**

27  
28 **Article 241.** *Nature and Purpose.* Preventive Suspension is not a  
29 penalty. It is merely a precautionary measure allowed by law in order to  
30 temporarily remove the respondent from the scene of the alleged  
31 misfeasance/malfeasance/nonfeasance while the case is pending. The purpose  
32 of which is to prevent him/her from using his/her office or position in exerting  
33 undue influence or pressure on the witnesses and/or tampering with evidence.

34  
35 **Article 242.** *Grounds for Issuance.* The proper disciplining authority  
36 may, *motu proprio* or upon proper motion by the complainant, place the  
37 respondent under preventive suspension upon issuance of Formal Charge or  
38 immediately thereafter if the charge involves:

- 39  
40 a. Dishonesty;  
41 b. Oppression;  
42 c. Grave Misconduct;  
43 d. Gross Neglect of Duty;  
44 e. An administrative offense committed on its second or third time and  
45 the penalty thereof is dismissal from the service; or

1 f. Other offenses punishable by dismissal from the service.  
2

3 In order for a preventive suspension to be valid, the evidence against  
4 respondent must be strong and there must be a showing that he/she is in a  
5 position to exert undue influence or pressure on the witnesses and/or to  
6 tamper with evidence by reason of his/her position.  
7

8 **Article 243. *Manner of Issuance.*** A preventive suspension may be  
9 effected by issuance of an order by the proper disciplining authority specifying  
10 the ground/s therefor, the evidence against respondent, and a directive to  
11 immediately cease and desist from performing his/her official functions as well  
12 as from entering the premises of his/her office pending investigation of his/her  
13 case. The complainant and other concerned persons or offices shall be  
14 furnished copy of the Order of Preventive Suspension.  
15

16 **Article 244. *Duration.*** When properly issued, preventive suspension  
17 shall commence from the time the order was received by the respondent and  
18 shall last upon the lapse of ninety (90) days or after the resolution of his/her  
19 case, whichever comes earlier. In the case of employees or officials of  
20 component local government units of the Bangsamoro Autonomous Region, the  
21 period of preventive suspension shall be up to sixty (60) days only. It is  
22 understood that the periods mentioned are only the maximum periods within  
23 which to place the respondent under preventive suspension. It does not  
24 preclude the proper disciplining authority to place him/her under a lesser  
25 period, which should not be less than two-thirds (2/3) of the maximum  
26 duration, of preventive suspension so long as it is made in good faith and  
27 taking into consideration the nature or gravity of the offense charged.  
28

29 **Article 245. *Effect of the Lapse of the Period.*** If the disciplining  
30 authority failed to resolve or decide the case after the lapse of the period  
31 mentioned above, the respondent shall be automatically reinstated in the  
32 service, unless the delay is due to the fault, negligence, or manipulations of the  
33 respondent, in which case, the period of delay shall not be included in the  
34 counting of the preventive suspension.  
35

36 **Article 246. *Effect of Authorized Leave in Case of Preventive***  
37 ***Suspension.*** Should the respondent be on authorized leave, the preventive  
38 suspension shall be deferred or interrupted until such time that said leave has  
39 been fully exhausted.  
40

41 **Article 247. *Number of Preventive Suspension Allowed.*** No further  
42 preventive suspension arising out of the same charge/s is allowed even if it is  
43 merely for the purpose of exhausting the maximum period in a case where  
44 lesser period was effected. If the respondent is already placed under preventive  
45 suspension, the duration of the second preventive suspension arising out of a

1 different charge/s shall simultaneously run with the first without prejudice to  
2 the service of the remaining period of the second.

3  
4 **Article 248.** *Alternative to Preventive Suspension.* The proper  
5 disciplining authority has the option to reassign the respondent for the same  
6 period to another ministry, office, or agency as the case may be, if he or she is  
7 convinced that the respondent cannot exert undue influence or pressure on the  
8 witnesses and/or tamper with evidence to his/her advantage.

9  
10 **Article 249.** *Remedies from the Order of Preventive Suspension.* The  
11 respondent may, within ten (10) days from receipt, appeal the Order of  
12 Preventive Suspension before the Office of the Chief Minister if it was issued by  
13 a Minister or Head of a GOCC of the Bangsamoro Autonomous Region. If the  
14 Order of Preventive Suspension was issued by the Chief Minister involving  
15 higher officials mentioned under Article 217 of this Book, the same shall be  
16 elevated directly to the Civil Service Commission. Pending appeal, the order  
17 shall be executory and no motion for reconsideration is allowed to be  
18 entertained by the issuing office or ministry.

19  
20 **Article 250.** *Void on its Face Order.* Any of the following circumstances  
21 shall render the order of preventive suspension void on its face:

- 22  
23 a. The order was issued by one who is not the proper disciplining  
24 authority;  
25 b. The requirements under Article 222 are not present;  
26 c. The order was issued without a formal charge or the same is  
27 defective; and  
28 d. The period of preventive suspension as imposed has exceeded the  
29 prescribed periods.

30  
31 **Article 251.** *Payment of Back Wages and Reinstatement in case of a*  
32 *Void on its Face Order.* A declaration by the higher authority of the order of  
33 preventive suspension as void on its face shall entitle the respondent to  
34 immediate reinstatement and payment of back wages corresponding to the  
35 period of the illegal preventive suspension without awaiting the outcome of the  
36 main case.

37  
38 A declaration of invalidity based on ground/s other than those  
39 mentioned in the immediately preceding section shall result in the  
40 reinstatement of the respondent but the payment of back wages shall be  
41 subject to the final outcome of the main case. If he/she is exonerated or the  
42 penalty imposed is only reprimand, he/she shall be entitled to back wages.  
43 Otherwise, he/she shall not be entitled thereto.

1 Mere downgrading of the charge to a lesser offense does not amount to  
2 exoneration and shall not entitle the respondent to payment of back wages.  
3  
4

5 **Chapter IX**  
6 **FORMAL INVESTIGATION**  
7

8 **Article 252. *Instances Required.*** A formal investigation shall only be  
9 conducted when the merits of the case cannot be judiciously decided without  
10 such investigation; or when the respondent elects to have one as expressed in  
11 his/her answer. In all other cases, the parties shall be required instead to file  
12 their respective verified position papers within a non-extendable period of ten  
13 (10) days from receipt of the order to file the same and thereafter, the case shall  
14 be deemed submitted for resolution.  
15

16 **Article 253. *When to be Conducted.*** When a formal investigation has to  
17 be conducted under the circumstances specified in the immediately preceding  
18 section, the same shall be conducted within five (5) days from receipt of  
19 respondent's answer or upon the expiration of the period to file answer and  
20 shall be terminated after twenty (20) days from its commencement. Said period  
21 of termination may be extended for another ten (10) days by the hearing officer  
22 with notice to the proper disciplining authority in proper cases as specified in  
23 the notice and which must not be due to the negligence of the hearing officer.  
24

25 **Article 254. *How Conducted.*** The formal investigation shall commence  
26 by conducting a pre-hearing conference for the parties to appear, consider and  
27 agree on the following matters, to wit:  
28

- 29 a. Stipulation of facts;
- 30 b. Simplification of issues;
- 31 c. Identification and marking of evidence;
- 32 d. Waiver of objections to admissibility of evidence;
- 33 e. Limitation on the number of witnesses;
- 34 f. Hearing dates;
- 35 g. Consideration of taking solemn oath in accordance with Article 236  
36 of this Chapter;
- 37 h. Possibility of submitting the case for resolution by the disciplining  
38 authority or his/her representative; and
- 39 i. Such other matters as may aid in the speedy and just resolution of  
40 the case.  
41

42 The agreement between the parties shall be reduced in writing and  
43 signed by them or their authorized representatives in the presence of the  
44 disciplining authority or his/her designated hearing officer/s. The same shall  
45 be embodied in the pre-hearing order and shall be binding upon the parties.  
46



1 The conduct of pre-hearing conference in cases where formal  
2 investigation is required is mandatory for the hearing officer but the failure of  
3 any party to attend such conference shall be sufficient ground to consider the  
4 case submitted for resolution. Hence, the case shall be decided on the basis of  
5 the records available.  
6

7 **Article 255. *Continuous Hearing.*** Hearings shall be conducted on the  
8 hearing dates agreed upon during the pre-hearing conference which shall not  
9 be more than five (5) hearing days. No postponement shall be allowed except in  
10 highly exceptional circumstances and upon a proper written motion filed by  
11 any party at least three (3) days before the scheduled hearing to be postponed.  
12 The parties are required to be present during the hearings and their absence  
13 shall produce the same result as in the case of absence of any party during  
14 pre-hearing conference. At any time before the resolution of the case, the  
15 parties may agree in writing to submit the case for resolution by the  
16 disciplining authority.  
17

18 **Article 256. *Hearings, How Conducted.*** Hearings before any of the  
19 proper disciplining authorities under this Book shall be conducted primarily for  
20 the purpose of securing a just, speedy, and fair resolution of administrative  
21 cases brought before it. They should not be conducted in such manner as to  
22 put excessive burden on the parties thereby discouraging them to resort to  
23 democratic processes. Taking these into account, hearings shall not be  
24 conducted in a strictly adversarial or trial-type proceedings. It is sufficient for  
25 the parties to be given ample opportunities to be heard and present their  
26 witnesses and other evidence for the consideration of the hearing officer/s.  
27

28 **Article 257. *Order of Hearing.*** The following order of hearing, when  
29 applicable, may be observed:  
30

- 31 a. The prosecution shall present its case without interruption or  
32 interrogation from the respondent.
- 33 b. The respondent shall present his/her defenses. Cross-examination  
34 is not allowed.
- 35 c. Both parties may submit their rebuttal and sur-rebuttal,  
36 respectively.  
37

38 When the presentation of the witnesses has been concluded, the parties  
39 shall formally offer their evidence either orally or in writing and thereafter  
40 objections thereto may also be made either orally or in writing. After which,  
41 both parties may be given time to submit their respective memorandum which  
42 in no case shall be beyond five (5) days after the termination of the  
43 investigation. Failure to submit the same within the given period shall be  
44 considered a waiver thereof.  
45

1           **Article 258. *Objections, How Made.*** All objections raised during the  
2 hearing shall be resolved by the hearing officer. However, objections that  
3 cannot be ruled upon by the hearing officer shall be noted with the information  
4 that the same shall be included in the memorandum of the concerned party to  
5 be ruled upon by the proper disciplining authority.  
6

7           The hearing officer shall admit all evidence formally offered subject to  
8 the objection/s interposed against its admission.  
9

10           **Article 259. *Marking of Evidence or Exhibits.*** All documentary evidence  
11 or exhibits for the complainant shall be properly marked by letters (A,B,C, etc.)  
12 with sub-markings in case of single document with several pages (A-1, A-2, A-  
13 3, etc.). If presented by the respondent, it shall be marked by numbers (1, 2, 3)  
14 with sub-markings in case of single but having several pages (1-A, 1-B, 1-C).  
15 These shall form part of the complete records of the case.  
16

17           **Article 260. *Issuance of Subpoena.*** The disciplining authority or his/her  
18 authorized hearing officer has the power to issue subpoena *ad testificandum* to  
19 compel attendance of witnesses or subpoena *duces tecum* for the production of  
20 other evidence. The requesting party shall make the proper request for the  
21 issuance thereof at least five (5) days before the scheduled hearing, copy  
22 furnished the requested party or witness specifying the evidence to be  
23 produced in case of the latter subpoena.  
24

25           **Article 261. *Record of the Proceeding.*** All the proceedings during the  
26 formal investigation must be duly recorded. This could be taken in shorthand,  
27 stenotype or other means of recognized recording.  
28

29           **Article 262. *Proof of Service.*** All pleadings and litigated motions allowed  
30 under this Book filed by the parties shall be copy furnished the other party  
31 with proof of service in the form of an affidavit. Those filed through registered  
32 mail or private courier service shall be deemed filed on the date stamped on the  
33 envelope or courier pack which shall be attached to the records of the case. In  
34 case of personal service, it shall be evidenced by the date stamped on the  
35 envelope or the document itself duly dated and signed by the receiving party.  
36

37           **Article 263. *Formal Investigation Report.*** The hearing officer shall  
38 submit a formal investigation report to the proper disciplining authority within  
39 ten (10) days after the conclusion of the formal investigation. Said report shall  
40 contain the following:  
41

- 42           a. a narration of the material facts duly established during the
- 43           investigation;
- 44           b. the findings and the evidence supporting said findings;
- 45           c. his/her recommendation for appropriate action/s; and

1 d. a draft decision containing the said recommendation.  
2

3 The complete records of the case shall be attached to the report and  
4 shall be treated with confidentiality. Further, it shall contain a Table of  
5 Contents for easy reference, systematically and chronologically arranged, paged  
6 and securely bound to prevent loss.  
7

8  
9 **Chapter X**  
10 **DECISION**  
11

12 **Article 264.** *Period to Render Decision.* Within fifteen (15) days from  
13 receipt, the proper disciplining authority shall evaluate the Formal  
14 Investigation Report and render his/her decision. He/she may either affirm or  
15 disregard the hearing officer's recommendation. In case of inaction within the  
16 said period, the recommendation shall be deemed to be his/her decision. In all  
17 cases, the parties shall be furnished copy of the decision or recommendation,  
18 as the case may be, within ten (10) days.  
19

20 **Article 265.** *Finality of Decisions.* Decisions shall become final after the  
21 lapse of fifteen (15) days from receipt unless a motion for reconsideration is  
22 seasonably filed in accordance with the succeeding Article. The same period  
23 applies in case of decision dismissing the case.  
24

25  
26 **Chapter XI**  
27 **MOTION FOR RECONSIDERATION**  
28

29 **Article 266.** *Who May File.* The party adversely affected by the decision  
30 may file a motion for reconsideration before the office of the disciplining  
31 authority who rendered the decision within fifteen (15) days from receipt. The  
32 phrase "adversely affected" shall, for purposes of this Book, include the private  
33 complainant in case of a decision dismissing a case whether or not the case is  
34 personal in nature.  
35

36 **Article 267.** *Grounds.* A motion for reconsideration may be filed based  
37 on any of the following grounds only, to wit:  
38

- 39 a. Newly discovered evidence which materially affects the case;  
40 b. The decision is not supported by evidence on record; or  
41 c. Errors of law or irregularities have been committed which are  
42 prejudicial to the interest of the movant.  
43

44 **Article 268.** *Effect of Filing.* A motion for reconsideration seasonably  
45 filed shall stay the execution of the decision sought to be reconsidered and

1 shall be disposed of by the disciplining authority within thirty (30) days.  
2 Otherwise, the same shall be deemed denied. Only one motion is allowed. Any  
3 succeeding motion shall not affect the running of the reglementary period to  
4 appeal.

5  
6  
7 **Chapter XII**  
8 **APPEAL**  
9

10 **Article 269.** *Unappealable Decisions.* No appeal is available if the  
11 decision involves any of the following:

- 12  
13 a. Dismissal of the complaint;  
14 b. A penalty of reprimand or suspension for not more than thirty (30)  
15 days; or  
16 c. A fine in an amount not exceeding thirty (30) days' salary, unless  
17 the ground relied upon is violation of due process.  
18

19 **Article 270.** *When Appeal is Available.* Decisions involving a penalty of  
20 suspension for more than thirty (30) days or a fine in an amount exceeding  
21 thirty (30) days' salary may be appealed by the respondent within fifteen (15)  
22 days from receipt of the assailed decision.  
23

24 **Article 271.** *Executory Judgements.* Decisions shall be executory  
25 pending appeal unless a Temporary Restraining Order (TRO) is issued by the  
26 proper authority. No motion for execution pending appeal shall be necessary.  
27

28 **Article 272.** *Where to Appeal.* Decisions rendered by any Cabinet  
29 Minister or Head of a GOCC shall be appealable to the Chief Minister.  
30 Unfavorable Decision of the Chief Minister on the appeal emanating from the  
31 Cabinet Minister or Head of a GOCC may be appealed to the Civil Service  
32 Commission. If the Decision has been rendered by the Chief Minister, the same  
33 shall be appealable to the Commission.  
34

35 **Article 273.** *Appeal, When Perfected.* A party desiring to appeal a  
36 decision shall file a Memorandum with the appellate authority, copy furnished  
37 the disciplining authority, containing the following:

- 38  
39 a. the grounds relied upon by him/her;  
40 b. certified true copies of the assailed decision;  
41 c. certified true copies of documentary evidences;  
42 d. proof of service of the Memorandum to the disciplining authority;  
43 e. proof of payment of the required fee, if any; and  
44 f. a certification against forum shopping.  
45

1 Failure to comply with any of the above requirements shall not be a  
2 ground to dismiss the appeal. Instead, the disciplining authority shall require  
3 the appellant to supply the deficiency within five (5) days from receipt of the  
4 directive or order. If, despite such directive or order, the appellant failed to  
5 comply, the appeal shall be dismissed with prejudice.  
6

7 **Article 274.** *Transmittal of the Records.* Upon receipt of a copy of the  
8 Memorandum furnished him/her by the appellant, the disciplining authority  
9 shall transmit the complete records of the case together with its comment to  
10 the appellate authority within ten (10) days. Said records must be  
11 systematically arranged, paged and securely bound to prevent loss.  
12

### 13 **Chapter XIII**

#### 14 **ADMINISTRATIVE OFFENSES AND PENALTIES**

15

16 **Article 275.** *Classification of Offenses.* Administrative offenses are  
17 classified into grave offenses, less grave offenses, or light offenses, depending  
18 on the gravity or depravity and effects on the government service.  
19

20 **Article 276.** *Grave Offenses.* The following are the grave offenses which  
21 are punishable by dismissal:  
22

- 23 1. Serious Dishonesty;
- 24 2. Gross Neglect of Duty;
- 25 3. Grave Misconduct;
- 26 4. Conviction of a Crime Involving Moral Turpitude;
- 27 5. Falsification of Official Document;
- 28 6. Physical or mental disorder or disability due to immoral or vicious  
29 habits;
- 30 7. Receiving for personal use of a fee, gift, or other valuable thing in  
31 the course of official duties or in connection therewith when such  
32 fee, gift, or valuable thing is given by any person in the hope or  
33 expectation of receiving a favor or better treatment than that  
34 accorded to other persons, or committing acts punishable under the  
35 anti-graft laws;
- 36 8. Contracting loans of money or other property from persons with  
37 whom the office or employee has business relations;
- 38 9. Soliciting or accepting, directly or indirectly, any gift, gratuity, favor,  
39 entertainment, loan or anything of monetary value in the course of  
40 one's official duties or in connection with any operation being  
41 regulated by, or any transaction which may be affected by the  
42 functions of one's office. The propriety of the foregoing shall be  
43 determined by its value, kinship, or relationship between giver and  
44 receiver and the motivation. A thing of monetary value is one which  
45 is evidently or manifestly excessive by its very nature;  
46

10. Nepotism; and
11. Disloyalty to the Republic of the Philippines, including the Bangsamoro Autonomous Region in Muslim Mindanao; and to the Filipino people, including the Bangsamoro people.

The following grave offenses are punishable by suspension of six (6) months and one (1) day to one (1) year for the first offense and dismissal from the service for the second offense:

1. Less Serious Dishonesty;
2. Oppression;
3. Disgraceful and Immoral Conduct;
4. Inefficiency and Incompetence in the Performance of Official Duties. However, the guilty person may instead be punished by Demotion in which case he shall suffer diminution in salary corresponding to the next lower in degree with the same salary step;
5. Habitual Absenteeism;
6. Habitual Tardiness Causing Prejudice to the Operations of the Office;
7. Loafing from Duty During Regular Office Hours;
8. Refusal to Perform Official Duty;
9. Gross Insubordination;
10. Conduct Prejudicial to the Best Interest of the Service;
11. Directly or indirectly having financial and material interest in any transaction requiring the approval of one's office. Financial and material interest is defined as pecuniary or proprietary interest to which a person will gain or lose something;
12. Owning, controlling, managing or accepting employment as officer, employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise regulated, supervised or licensed by one's office, unless expressly allowed by law;
13. Disclosing or misusing confidential or classified information officially known by reason of one's office and not made available to the public, to further his private interests or give undue advantage to anyone, to the prejudice of the public interest;
14. Obtaining or using any statement filed under the Code of Conduct and Ethical Standards for Public Officials and Employees for any purpose contrary to morals or public policy or any commercial purpose other than by news and communications media for dissemination to the general public; and
15. Recommending any person to any position in a private enterprise which has a regular or pending official transaction with one's office, unless such recommendation or referral is mandated by law or international agreements, commitment and obligation; or as part of the function of one's office.

1           **Article 277. *Less Grave Offenses.*** The following less grave offenses are  
2 punishable by suspension of one (1) month and one (1) day to six (6) months  
3 for the first offense; and dismissal from the service for the second offense:  
4

- 5           1. Simple Neglect of Duty;
- 6           2. Simple Misconduct;
- 7           3. Discourtesy in the Course of Official Duty;
- 8           4. Violation of Existing Civil Service Law or Rules of Serious Nature;
- 9           5. Insubordination;
- 10          6. Habitual Drunkenness;
- 11          7. Unfair discrimination in rendering public service due to party  
12             affiliation or preference;
- 13          8. Failure to file sworn statements of assets, liabilities and net worth  
14             (SALN), and disclosure of business interest and financial  
15             connections including those of one's spouse and unmarried children  
16             under eighteen (18) years of age living in one's household;
- 17          9. Failure to resign from one's position within thirty (30) days, or to  
18             divest oneself of one's shareholdings or interest within sixty (60)  
19             days, in the private business enterprise from assumption of public  
20             office when there is conflict of interest. If such conflict arises only  
21             while one is already in the service, the counting of the periods  
22             mentioned shall commence from the moment the conflict arises or  
23             becomes known or should have known to the concerned employee or  
24             official; and
- 25          10. Engaging directly or indirectly in partisan political activities by one  
26             holding non-political office.

27  
28           The less grave offense of Simple Dishonesty is punishable by  
29 suspension of one (1) month and one (1) day to six (6) months for the first  
30 offense; six (6) months and one (1) day to one (1) year for the second offense;  
31 and dismissal from the service for the third offense.  
32

33           **Article 278. *Light Offenses.*** The following light offenses are punishable  
34 by reprimand for the first offense; suspension of one (1) to thirty (30) days for  
35 the second offense; and dismissal from the service for the third offense:  
36

- 37           1. Simple Discourtesy in the Course of Official Duty;
- 38           2. Improper or unauthorized solicitation of contributions from  
39             subordinate employees and in the case of teachers or school officials  
40             from school children;
- 41           3. Violation of Reasonable Office Rules and Regulations;
- 42           4. Habitual Tardiness;
- 43           5. Gambling Prohibited by Law;
- 44           6. Refusal to Render Overtime Service;
- 45           7. Disgraceful, Immoral or Dishonest Conduct Prior to Entering the  
46             Service;

- 1 8. Borrowing Money by Superior Officers from Subordinates;
- 2 9. Willful failure to pay just debts or to pay taxes due the government.  
3 Just debts shall be understood to be limited to claims adjudicated by  
4 a court of law, or the existence of which are admitted by the debtor;
- 5 10. Lobbying for personal interest or gain in legislative halls and offices  
6 without authority;
- 7 11. Promoting the sale of tickets in behalf of private enterprises.  
8 However, if the tickets are intended for charitable or public welfare  
9 purposes, the same may be allowed provided there is prior authority;
- 10 12. Failure to act promptly on letters and request within fifteen (15)  
11 working days from receipt in accordance with Section 3, Rule VI of  
12 the Rules Implementing the Code of Conduct and Ethical Standards  
13 for Public Officials and Employees (R.A. No 6713);
- 14 13. Failure to process documents and complete action on documents  
15 and papers within a reasonable time from preparation thereof in  
16 accordance with Section 4, Rule VI of the above-mentioned  
17 implementing rules;
- 18 14. Failure to attend to anyone who wants to avail himself/herself of  
19 the services of the office, or act promptly and expeditiously on public  
20 transactions;
- 21 15. Unauthorized Private Practice of One's Profession; and
- 22 16. Pursuit of private business or vocation without the permission  
23 required by civil service rules and regulations.  
24

25 **Article 279. Other Specific Offenses.** Republic Act No. 9485 or the Anti-  
26 Red Tape Act of 2007 provides for the following:  
27

- 28 I. Grave Offense: Fixing and/or collusion with fixers in consideration  
29 of economic and/or other gain or advantage shall be penalized by  
30 Dismissal and Perpetual Disqualification from Public Service;  
31
- 32 II. Light Offenses: the following are light offenses:  
33
  - 34 a. Refusal to accept application and/or request within the  
35 prescribed period or any document being submitted by a client;
  - 36 b. Failure to act on an application and/or request or failure to  
37 refer back to the client a request which cannot be acted upon  
38 due to lack of requirements within the prescribed period;
  - 39 c. Failure to attend to clients who are within the premises of the  
40 office or agency concerned prior to the end of official working  
41 hours and during lunch break;
  - 42 d. Failure to render frontline services within the prescribed period  
43 on any application and/or request without due cause;
  - 44 e. Failure to give the client a written notice on the disapproval of  
45 an application or request; and



1 f. Imposition of additional irrelevant requirements other than  
2 those listed in the first notice.

3  
4 The foregoing light offenses shall be penalized as follows:

5  
6 First Offense: Thirty (30) days suspension without pay and  
7 mandatory attendance in Values Orientation Program;

8  
9 Second Offense: Three (3) months suspension without pay;

10  
11 Third Offense: Dismissal and Perpetual Disqualification from  
12 Public Service.

13  
14  
15 **Chapter XIV**  
16 **PENALTY OF FINE**

17  
18 **Article 280.** *When Penalty of Fine Allowed.* The disciplining authority  
19 may allow payment of fine in lieu of suspension if any of the following  
20 circumstances is present:

- 21  
22 a. When the function/nature of the office is impressed with national  
23 interest such as those involved in maintenance of peace and order,  
24 health and safety, and education;
- 25 b. When the respondent is actually discharging frontline functions or  
26 those directly dealing with the public and the human resource  
27 complement of the office is insufficient to perform such function;
- 28 c. When the respondent committed the offense without utilizing or  
29 abusing the powers of his/her position or office; or
- 30 d. When the respondent has already retired or otherwise separated  
31 from government service and the penalty of suspension could not be  
32 served anymore, the fine may be sourced from the accumulated  
33 leave credits or whatever benefits due the respondent.

34  
35 **Article 281.** *When Available.* The payment of penalty of fine in lieu of  
36 suspension shall be available in Grave, Less Grave and Light Offenses where  
37 the penalty imposed is for six (6) months or less at the ratio of one (1) day of  
38 suspension from the service to one (1) day salary fine; *Provided,* that in Grave  
39 Offenses where the penalty imposed is six (6) months and one (1) day of  
40 suspension in view of the presence of mitigating circumstance, the conversion  
41 shall only apply to the suspension of six (6) months. Nonetheless, the  
42 remaining one (1) day suspension is deemed included therein.

43  
44 **Article 282.** *Period to Pay the Fine; Effect of Failure to Pay.* The  
45 maximum period to pay the fine shall not exceed one (1) year from the time the  
46 decision/resolution becomes final and executory. The conversion of suspension

1 into fine shall render the decision final and executory and, therefore, not  
2 subject of appeal or any other similar relief. The failure of the respondent to  
3 pay the fine or part thereof shall cause the reversion to the original penalty of  
4 suspension. As such, respondent shall serve the original penalty of suspension  
5 imposed, irrespective of the amount already paid.  
6

7 **Article 283.** *Schedule of Fine in Installment.* Fine may be paid in equal  
8 monthly installments subject to the following schedule of payment prescribed  
9 below:

- 10 a. Fine equivalent to one (1) month salary shall be paid within two (2)  
11 months;
- 12 b. Fine equivalent to two (2) month salary shall be paid within four (4)  
13 months;
- 14 c. Fine equivalent to three (3) month salary shall be paid within six (6)  
15 months;
- 16 d. Fine equivalent to four (4) month salary shall be paid within eight (8)  
17 months;
- 18 e. Fine equivalent to five (5) month salary shall be paid within ten (10)  
19 months; and
- 20 f. Fine equivalent to six (6) month salary shall be paid within twelve  
21 (12) months;

22  
23 **Article 284.** *Where to be Paid.* The fine shall be paid to the agency  
24 imposing the same, computed on the basis of respondent's salary at the time  
25 the decision becomes final and executory.  
26

27  
28 **Chapter XV**  
29 **GUIDELINES ON THE IMPOSITION OF PENALTIES**  
30

31 **Article 285.** *Mitigating and Aggravating Circumstances.* Except for  
32 offenses punishable by dismissal from the service, the following may be  
33 appreciated either as mitigating or aggravating circumstances in the  
34 determination of the penalties to be imposed:

- 35 a. Physical illness;
- 36 b. Malice;
- 37 c. Time and place of offense;
- 38 d. Taking undue advantage of official position;
- 39 e. Taking undue advantage of subordinate;
- 40

- 1 f. Undue disclosure of confidential information;
- 2 g. Use of government property in the commission of the offense;
- 3 h. Habituality;
- 4 i. Offense is committed during office hours and within the premises of
- 5 the office or building;
- 6 j. Employment of fraudulent means to commit or conceal the offense:
- 7 k. First offense;
- 8 l. Education;
- 9 m. Length of service; or
- 10 n. Other analogous circumstances.

11 In the appreciation thereof, the same must be invoked or pleaded by the  
12 respondent, otherwise, said circumstances will not be considered in the  
13 imposition of the proper penalty. The disciplining authority, however, in the  
14 interest of substantial justice, may take and consider these circumstances  
15 *motu proprio*.

16  
17 **Article 286.** *Manner of Imposition.* When applicable, the imposition of  
18 the penalty shall be made in accordance with the manner provided herein  
19 below:

- 20
- 21 a. The minimum of the penalty shall be imposed where only mitigating
- 22 and no aggravating circumstances are present;
- 23 b. The medium of the penalty shall be imposed where no mitigating
- 24 and aggravating circumstances are present; and
- 25 c. The maximum of the penalty shall be imposed where only
- 26 aggravating and no mitigating circumstances are present.
- 27

28 Where aggravating and mitigating circumstance are present, paragraph  
29 [a] shall be applied when there are more mitigating circumstances present;  
30 paragraph [b] shall be applied when the circumstances equally offset each  
31 other; and paragraph [c] shall be applied when there are more aggravating  
32 circumstances.

33  
34 **Article 287.** *Medium Period of Divisible Penalty.* The following divisible  
35 penalties shall have their medium range of penalty, to wit:

- 36
- 37 a. Penalty of suspension ranging from one (1) month and one (1) day to
- 38 six (6) months shall have three (3) months as its medium penalty;
- 39 and

- 1           b. Penalty of suspension ranging from six (6) months and one (1) day  
2           to one (1) year shall have nine (9) months as its medium penalty.  
3

4           **Article 288.** *Penalty for Multiple Offenses.* If the respondent is found  
5 guilty of two (2) or more different offenses, the penalty to be imposed should be  
6 that corresponding to the most serious offense and the rest shall be considered  
7 as aggravating circumstances. In case the respondent is found guilty of two or  
8 more counts of the same offense, the penalty shall be imposed in the maximum  
9 regardless of the presence of any mitigating circumstance.  
10

11           **Article 289.** *Duration and Effect of Administrative Penalties.* The  
12 following shall govern the imposition of administrative penalties:  
13

- 14           a. The penalty of dismissal shall result in the permanent separation of  
15 the respondent from the service, without prejudice to criminal or  
16 civil liability;  
17           b. The penalty of demotion shall result in diminution of salary  
18 corresponding to the next lower salary grade with the same salary  
19 step;  
20           c. The penalty of suspension shall result in the temporary cessation of  
21 work for a period not exceeding one (1) year. Suspension of one day  
22 or more shall be considered a gap in the continuity of service.  
23 During the period of suspension, respondent shall not be entitled to  
24 all monetary benefits including leave credits;  
25           d. The penalty of fine shall be in an amount not exceeding six (6)  
26 month salary of respondent. The computation thereof shall be based  
27 on the salary rate of the respondent when the decision becomes final  
28 and executory; and  
29           e. The penalty of reprimand is an official rebuke against a person's  
30 behavior which does not carry any accessory penalty or result in the  
31 temporary cessation of work. In the event the penalty of reprimand  
32 was imposed on appeal as a result of modification of the penalty of  
33 suspension or dismissal from service, the respondent shall be  
34 entitled to the payment of back wages and other benefits which  
35 would have accrued during the period of the suspension or  
36 dismissal.  
37

38           **Article 290.** *Accessory Penalties.* The following are the accessory  
39 penalties in administrative cases:  
40

- 41           a. The penalty of dismissal shall carry with it cancellation of eligibility;  
42 perpetual disqualification from holding public office; ban from  
43 taking civil service examinations; and forfeiture of retirement  
44 benefits. However, terminal leave benefits and personal  
45 contributions to Government Service Insurance System (GSIS),  
46 Retirement and Benefits Administration Service (RBAS) or other

1 equivalent retirement benefits system shall not be subject to  
2 forfeiture.

- 3 b. The penalty of demotion shall carry with it disqualification from  
4 promotion for one (1) year.
- 5 c. The penalty of suspension shall carry with it disqualification from  
6 promotion corresponding to the period of suspension.
- 7 d. The penalty of fine shall carry with it disqualification from  
8 promotion for the same period the respondent is fined.
- 9 e. The penalty of reprimand shall not carry with it any accessory  
10 penalties.
- 11 f. A warning or admonition shall not be considered a penalty.

12  
13 **Article 291.** *Effects of Exoneration on Certain Penalties.* The decision for  
14 exoneration shall have the following consequences:

- 15 a. In case the penalty imposed is fine, the same shall be refunded;
- 16 b. In case of demotion, the respondent shall be entitled to restoration  
17 of former salary grade with the same salary step and payment of  
18 salary differentials during the period the demotion was imposed;
- 19 c. In case the penalty imposed is suspension, the respondent shall  
20 immediately be reinstated to former post without loss of seniority  
21 rights and with payment of back wages and all benefits which would  
22 have accrued had the respondent not been illegally suspended;
- 23 d. In case the penalty imposed is dismissal, the respondent shall  
24 immediately be reinstated without loss of seniority rights and with  
25 payment of back wages and all benefits which would have accrued  
26 had the respondent not been illegally suspended;
- 27 e. The respondent who is exonerated on appeal shall be entitled to the  
28 leave credits for the period he/she had been out of the service.  
29  
30  
31

## 32 **Chapter XVI** 33 **SETTLEMENT IN ADMINISTRATIVE CASES** 34

35 **Article 292.** *When Applicable.* In general, administrative cases are not  
36 subject to settlement. However, settlement of offenses may be considered in  
37 cases of light offenses where the act is purely personal on the part of the  
38 private complainant and the person complained of and there is no apparent  
39 injury committed to the government. However, no settlement is allowed for the  
40 second offense of the same act committed by the person complained of.  
41

42 **Article 293.** *Motu Proprio Determination of Applicability.* Upon filing of  
43 the complaint, the disciplining authority or its authorized representative shall  
44 determine *motu proprio* whether the offense can be the subject of settlement. If  
45 it is in the affirmative, the person complained of shall be required to comment  
46 and indicate therein whether he/she is willing to submit the case for

1 settlement. If he/she opts for settlement, the disciplining authority or its  
2 authorized representative shall issue an order requiring the appearance of the  
3 parties.  
4

5 The person complained of may move for the settlement of the complaint  
6 at any time before the issuance of a formal charge.  
7

8 **Article 294. *Compromise Agreement.*** If settlement between the parties  
9 succeeds, a compromise agreement shall be executed between the parties and  
10 attested by the disciplining authority. It shall be binding on the parties and  
11 cannot be impugned by them unless the appellate authority, upon proper  
12 motion or in a separate action, declared to be invalid as there was duress or  
13 fraud in its execution.  
14

15 **Article 295. *Decision Based on a Compromise Agreement.*** After the  
16 execution of the compromise agreement, the disciplining authority shall render  
17 decision on the basis thereof specifying, among others, the terms or conditions  
18 agreed upon by the parties as well as the provisional dismissal of the complaint  
19 in proper cases. The case may be reopened for investigation in case of non-  
20 compliance with any of the agreed terms or conditions by the person  
21 complained of.  
22

23 **Article 296. *When No Settlement is Reached.*** If efforts to reach a  
24 settlement between the parties fail, the disciplining authority or its authorized  
25 representative shall issue an order terminating the process and, thereafter,  
26 proceed with the investigation of the case.  
27  
28  
29

## 30 **Chapter XVII**

### 31 **BACK WAGES AND OTHER SIMILAR BENEFITS**

32

33 **Article 297. *Who are Entitled.*** An illegally dismissed or suspended  
34 official or employee who is exonerated/reprimanded and ordered reinstated in  
35 the service, and a respondent placed under preventive suspension, whose order  
36 of suspension was declared by the higher authority as invalid, shall be entitled  
37 to payment of back wages and other similar benefits.  
38

39 **Article 298. *What Are Included.*** The following are the benefits included  
40 in the scope of back wages:  
41

- 42 a. Salaries from the time the official or employee was illegally  
43 dismissed/suspended up to the time of actual reinstatement;
- 44 b. Representation and Transportation Allowance (RATA) as provided  
45 under existing rules;

- 1 c. Personnel Economic Relief Allowance/Additional Compensation
- 2 Allowance (PERA/ACA);
- 3 d. Restoration of Leave Credits;
- 4 e. Loyalty Award;
- 5 f. Anniversary Bonus;
- 6 g. 13<sup>th</sup>, 14<sup>th</sup> month Pay and Cash Gift;
- 7 h. Uniform/Clothing Allowance;
- 8 i. Performance-based Bonus; and
- 9 j. Other similar benefits given to regular employees by the ministry or
- 10 office.
- 11

12 **Article 299. Guidelines.** The following are the guidelines on the  
13 payment of back wages and other similar benefits to an illegally dismissed or  
14 suspended employee:

- 15
- 16 a. The payment of back wages should be computed based on the rate
- 17 of salary grade/job grade/pay level/pay grade of the respondent at
- 18 the time of dismissal or suspension including the increases in
- 19 salary, allowances and other emoluments that may occur during the
- 20 period the employee was prevented from rendering service.
- 21
- 22 b. For entitlement to RATA, subject to existing rules and regulations,
- 23 the requirement of actual performance of duty to an illegally
- 24 dismissed or suspended respondent is dispensed with since it is
- 25 unreasonable to expect or demand performance of his/her functions
- 26 when the circumstances prevent one from doing so.
- 27
- 28 c. The restoration of leave credits shall be subject to annual
- 29 deductions of five (5) days Forced Leave/Mandatory Leave as
- 30 required under the Omnibus Rules on Leave.
- 31
- 32 d. For purposes of Loyalty Award given to all officials and employees in
- 33 the government who have rendered at least ten (10) years of
- 34 continuous service and satisfactory service in the government
- 35 pursuant to CSC Memorandum Circular No. 6, series of 2002, the
- 36 period under which the respondent was illegally dismissed or
- 37 suspended should not be considered as a gap in the service.
- 38
- 39 e. Anniversary Bonus is given during milestone years. A milestone year
- 40 refers to the 15<sup>th</sup> anniversary and every fifth year thereafter.
- 41 Respondents who have been illegally dismissed or suspended during
- 42 the milestone years shall be entitled to the payment of Anniversary
- 43 Bonus.
- 44
- 45 f. The 13<sup>th</sup>/14<sup>th</sup> Month Pay plus Cash Gift under existing laws or as
- 46 may be provided in the Annual Appropriations Law (AAL) shall be

1 granted to each qualified official or employee which is equivalent to  
2 one (1) month basic salary.

3  
4 g. Uniform or clothing allowance refers to the amount granted per year  
5 to each qualified official or employee as may be provided in the AAL.  
6

7 h. Bonuses based on performance shall be given on the basis of the  
8 rating of the employee prior to one's illegal dismissal or suspension  
9 from the service.

10  
11 **Article 300.** *Allowable Deductions.* The payment of back wages shall be  
12 subject to withholding tax, GSIS Premium, PhilHealth and HDMF Fund  
13 contributions, and other monthly dues/deductions as may be validly imposed  
14 by the ministry or office under the law or rules. Payment of 13<sup>th</sup>/14<sup>th</sup> Month  
15 Pay, Cash Gift, Anniversary Bonus, and other additional bonus given by the  
16 ministry or office which exceeds the ceiling tax exemption shall also be subject  
17 to withholding tax.  
18  
19  
20  
21

## 22 **TRANSITORY PROVISIONS**

23  
24 **Article 301.** *Special Provision on Temporary Appointments for*  
25 *Mujahideen.* Mujahideen may be hired as temporary appointees for first level  
26 plantilla positions (Salary Grades 9 and below) of the Bangsamoro Government  
27 regardless of the presence of applicants who are civil service eligibles. Provided  
28 that not more than thirty percent (30%) of the total number of first level  
29 plantilla positions of the Bangsamoro Government shall be allocated to them.  
30

31 The appointments under this provision shall be for the period of  
32 transition of the Bangsamoro Government without need of renewal every twelve  
33 (12) months. However, if the appointee has possessed the required eligibility  
34 within that period, he shall be qualified for permanent appointment to said  
35 position subject to performance appraisal and without prejudice to the  
36 discretion of the appointing authority.  
37

38 During the transition period, it shall be the responsibility of the central  
39 committees of the Moro Islamic Liberation Front (MILF) and the Moro National  
40 Liberation Front (MNLF) to determine the Mujahideen in the roster of their  
41 organic members who shall be considered for hiring under this provision. The  
42 hiring should be within the transition period.  
43  
44

45 **Article 302.** *Provisions for More Stringent Standards.* Nothing in this  
46 Code shall be construed to derogate from any law, or any regulation prescribed



1 by any body or agency, which provides for more stringent standards for its  
2 official and employees.

3  
4 **Article 303.** *Revised Agency Merit Selection Plan.* Agencies shall submit  
5 to the CSC-BARMM for approval of the revised Agency Merit Selection Plan in  
6 accordance with the 2017 Omnibus Rules on Appointments and Other Human  
7 Resource Action within six (6) months from date of the effectivity of said Code.  
8 The rules provided herein shall be used as bases in the issuance of  
9 appointments and attestation thereof should the agency fail to submit the  
10 revised Bangsamoro Merit Selection Plan within said period.

11  
12 **Article 304.** *Placement Process during Transition Period.* The institution  
13 of a placement process for hiring of personnel during transition period  
14 including the constitution of interim Bangsamoro Placement and Selection  
15 Boards shall be based on the approved Transition Plan.

16  
17 **Article 305.** *Separability of Provisions.* If any part, section or provision  
18 of this Code shall be held invalid or unconstitutional, no other part, section or  
19 provision thereof shall be affected thereby.

20  
21 **Article 306.** *Repealing Clause.* All laws and issuances pertaining to civil  
22 service passed by the ARMM Regional Legislative Assembly are deemed  
23 repealed.

24  
25 **Article 307.** *Effectivity.* This Code shall take effect after fifteen (15) days  
26 following its complete publication in at least one (1) newspaper of general  
27 circulation in the Bangsamoro Autonomous Region in Muslim Mindanao  
28 (BARMM).

29  
30  
31  
32  
33 **ATTY. PANGALIAN M. BALINDONG**  
34 Speaker of the Parliament

35  
36  
37  
38 This Act was finally passed into law on \_\_\_\_\_, 2020  
39 Gregorian Calendar and \_\_\_\_\_th day of \_\_\_\_\_, 1441, Hijra Calendar.

40  
41  
42  
43 **RABY ANGKAL**  
44 Secretary General

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**AHOD BALAWAG EBRAHIM**  
Interim Chief Minister