

cf 16 May 2000

Republika ng Pilipinas
PAMBANSANG PANGASIWAAN NG PATUBIG
(National Irrigation Administration)
Lungsod ng Quezon

MC No. 8 s. 2000

MEMORANDUM CIRCULAR

**TO : THE DEPUTY ADMINISTRATOR/ASSISTANT ADMINISTRATORS/
DEPARTMENT/STAFF MANAGERS, REGIONAL/OPERATIONS/
PROJECT MANAGERS, PROVINCIAL IRRIGATION OFFICERS,
IRRIGATION SUPERINTENDENTS, AND OTHERS CONCERNED
National Irrigation Administration**

**SUBJECT: GUIDELINES FOR THE AVAILMENT OF ADVANCE
CHRISTMAS BONUS AND CASH GIFT FOR CY 2000**

1.0 PURPOSE

This Circular is issued pursuant to Administrative Order No. 195 dated May 30, 1995 authorizing government personnel to exercise the option to avail themselves of an interest-free loan not exceeding one-half (1/2) of the amount of the Year-End Bonus and Cash Gift authorized under RA 6686 and amended by RA 8441. This loan shall be deducted accordingly from the full amount of the Year-End Bonus equivalent to one month basic salary and/or Cash Gift of P5,000.00 accruing to the official or employee concerned for CY 2000.

2.0 COVERAGE

NIA personnel whether under regular, temporary or casual status, and contractual personnel whose employment is in the nature of a regular employee, who are still in the service as of May 15, 2000 and falling under any of the following circumstances are covered by this Circular:

- 2.1 those who have rendered at least a total of four (4) months of service including leaves of absence with pay from January 1 to May 15, 2000;
- 2.2 those who are on approved leave of absence without pay but have rendered at least a total of four (4) months of service from January 1 to May 15, 2000; and

- 2.3 those who have rendered less than four months of service from January 1 to May 15, 2000 shall be entitled solely to the following percentage of the *cash gift*:

3 months but less than 4 months	40%	P2,000.00
2 months but less than 3 months	30%	P1,500.00
1 month but less than 2 months	20%	P1,000.00
less than 1 month	10%	P 500.00

3.0 EXEMPTIONS

The following NIA personnel shall not be allowed to avail themselves of the loan authorized herein:

- 3.1 those who are under preventive suspension as of May 15, 2000;
- 3.2 those who are absent without leave (awol) as of May 15, 2000;
- 3.3 those who are formally charged in administrative cases and/or meted penalties as of May 15, 2000 and thereafter, up to October 31, 2000. Accordingly, those with pending cases are only disqualified to avail themselves of the said benefit during the first year of pendency of the case; and
- 3.4 those who may have four (4) months or more of government service but are no longer in the service as of May 15, 2000 or those whose government service ends before October 31, 2000 due to retirement/resignation/separation or for whatever reasons.

4.0 RULES AND REGULATIONS

- 4.1 NIA officials and employees who availed themselves of the loan herein authorized but later have been found to be exempted from the coverage of this Circular shall be required to pay the same through payroll deduction within three (3) months from the date of such exemption. For the purpose, the head of the Agency and other officials/employees who took part in the grant of the loan shall cause the deduction of the above from any benefit, including the last salary, due the official/employee whose government service ends before October 31, 2000.
- 4.2 The loan grant of NIA officials and employees who are on full-time or part-time detail with another government agency or special project shall be drawn from their respective mother agency. In the case of those who are paid from project funds, the loan shall be drawn from the same source where they draw their salaries. No one shall exercise the option under this Circular from more than one source.

4.3 NIA officials and employees who are employed on a part-time basis are entitled to the loan provided herein corresponding to the monthly basic salary he is actually receiving and a pro-rata amount of the P5,000.00 Cash Gift. Those whose by the nature of their employment, are on part-time service with two (2) different agencies, where part-time service in one (1) agency is equivalent to one-half day service, shall be entitled to an amount for the corresponding one-half day service, in each agency, provided that the total loan shall not exceed the equivalent amount provided in this Circular.

4.4 The loan under this Circular of NIA officials or employees who transferred to another government agency shall be granted by their new Office.

5.0 FUNDING SOURCE

Funds for the purpose of implementing this Circular for those whose salaries/wages are charged against the Current Operating Budget for 2000 shall be charged thereto. Those whose positions are authorized under Project Plantilla shall be charged against their respective Project funds.

6.0 RESPONSIBILITY OF CHIEFS OF OFFICES

The Chiefs of Offices/Projects concerned shall be held responsible for the implementation of this Circular in their respective area of jurisdiction and shall be held liable for any deviation/s from the provisions hereof, without prejudice, however, to the refund of any excess payment by the employees concerned.


7.0 RESOLUTION OF CASES

Cases not covered by this Circular shall be referred to the Administrator Attn.: Assistant Administrator for Administrative Services.

8.0 EFFECTIVITY

This Circular shall take effect immediately.

Compliance hereon is enjoined.


MANUEL S. AREVALO
Administrator

Date : May 15, 2000

Collection: Mr. Mel Sanga

ADMINISTRATIVE ORDER NO. 195

AUTHORIZING THE GRANT OF AN INTEREST-FREE LOAN TO GOVERNMENT PERSONNEL IN CY 1995 AND YEARS THEREAFTER

I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1.0 PURPOSE

This Administrative Order is issued to allow government personnel to exercise the option to avail of an interest-free loan not exceeding one-half (1/2) of the amount of the Year-End Bonus and Cash Gift authorized under RA 6686 which shall be deducted from the full amount of the Year-End Bonus and/or Cash Gift accruing to the official or employee concerned in CY 1995 and years thereafter.

2.0 COVERAGE

2.1 All appointive government personnel under regular, temporary or casual status, and contractual personnel whose employment is in the nature of a regular employee, who are still in the service as of May 15 of each year and:

2.1.1 have rendered at least a total of four (4) months including leave of absence with pay in the government from January 1 to May 15 of the same year; and

2.1.2 on approved leave without pay but have rendered at least a total of four (4) months of service from January 1 to May 15 of the same year, provided they are not yet dropped from the rolls

3.0 EXEMPTION

The following government personnel shall not be allowed to avail of the loan authorized herein:

AD 195

- 3.1 those who are under preventive suspension as of May 15 of the year the benefit is given unless exonerated;
- 3.2 those who are absent without leave (AWOL) as of May 15 of each year;
- 3.3 those who are formally charged in administrative cases and/or meted penalties as of May 15 of each year, and thereafter, during the year the benefit is given. Accordingly, those with pending cases as clarified under Budget Circular No. 5-A, dated December 16, 1994 are only disqualified to avail of the said benefit during the first year of the pendency of the case; and
- 3.4 those who may have less (4) months or more of government service but are no longer in the service as of May 15 of each year or those whose government service ends before October 31 of each year due to retirement/resignation/separation or for whatever reasons.

4.0 RULES AND REGULATIONS

- 4.1 Officials and employees who availed of the loan he authorized but later have been found to be exempted from the coverage of this Circular shall be required to pay the same through payroll deduction within three (3) months from the date of such exemption. For this purpose, the head of the agency concerned and such other officials/employees who took part in the grant of the loan shall cause the deduction of the same from any benefit, including the last salary, due the official/employee whose government service ends before October 31.
- 4.2 The loan of officials and employees who are on full-time or part-time detail with another government agency or special project shall be drawn from their respective mother agency. In the case of those who are paid from project funds, the loan shall be drawn from the source where they draw their salaries. No one shall exercise the option of this Order from more than one source.
- 4.3 Officials and employees who are employed on a part-time basis are entitled to the loan provided herein corresponding to the basic salary he is actually receiving and a pro-rata amount of the P1,000.00 Cash Gift. Those who, by the nature of their employment, are on part-time service with two (2) different agencies, when part-time service in one agency is equivalent to one-half day service, shall be entitled to an amount for the corresponding one-half day service, in each agency, provided that the total loan shall not exceed the equivalent amount provided in this Order.

4.4 The loan under this Order of officials or employees who transferred from one agency to another shall be granted by their new Office.

5.0 RELEASE OF FUNDS

5.1 The Department of Budget and Management is hereby directed to release the necessary funds to concerned government agencies out of the amounts provided for the year-end benefits in the Annual General Appropriations Act (GAA).

5.2 Agencies, however, may use whatever cash available from their Common Funds for the purpose herein authorized without waiting for the receipt of the Special Allotment Release Order and Notice of Cash Allocation for the purpose.

6.0 FUNDING SOURCE

6.1 In the case of national government agencies, the amounts required shall be charged against the approved appropriations for the purpose under the annual General Appropriations Act (GAA).

6.2 In the case of government-owned and/or -controlled corporations and government financial institutions (GFIs), the amounts required shall be sourced fully from their respective corporate funds.

6.3 In the case of local government units, the amounts required shall be sourced fully from their respective local funds.

7.0 RESPONSIBILITY OF THE HEAD OF AGENCY

The heads of concerned government agencies shall be held responsible and personally liable for any grant of loan herein authorized not in accordance with the provisions of this Order, without prejudice, however, to the refund of any excess payment by the official or employee concerned.

8.0 PROHIBITION AGAINST PAYMENT OF ADDITIONAL BENEFITS

Agencies are hereby prohibited from granting additional benefits other than those authorized under this Order. Consequently, all administrative authorizations to grant any or other forms of benefits or other similar compensation in CY 1995 and thereafter which partake the nature of year-end bonus and cash-gift that are

inconsistent with the declared policy on the matter shall be rendered nugatory and unenforceable.

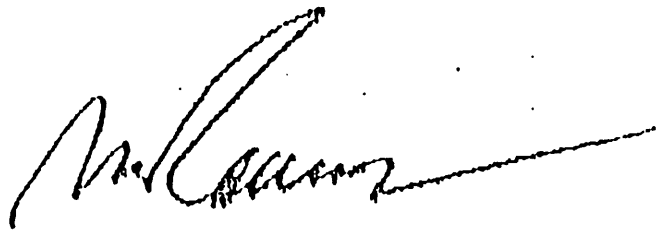
9.0 RESOLUTION OF CASES

Cases not covered by the provisions of this Order shall be submitted to the Secretary of Budget and Management for appropriate evaluation and resolution.

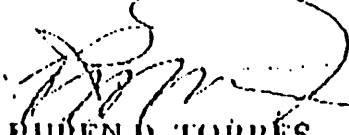
10.0 EFFECTIVITY

This Order shall take effect immediately.

DONE in the City of Manila this 30th day of May in the year of Our Lord, Nineteen Hundred and Ninety-Five.



By the President:



RUBEN D. TORRES
Executive Secretary

ment of a person to receive veter-
benefits as a result of the Act shall
administered by the Philippine Veter-
Affairs Office. In accordance with
the laws and regulations.

Sec. 13. *Period of Existence of the*
nd. - The Board shall cease to exist
(2) years after the last day of the
operation period provided for under
Section 3 of this Act.

Sec. 14. *Implementing Rules and*
ulations. - The Secretary of National
Defense shall issue rules and regulations
necessary to ensure the effective imple-
mentation of this Act, within sixty (60)
days after approval of this Act.

Sec. 15. *Appropriations.* - The amount
necessary for the implementation of this
Act shall be included in the budget of the
Department of National Defense, under
the General Appropriations Act of the
year following its enactment into law and
thereafter.

Sec. 16. *Repealing Clause.* - Provisions
laws, orders, regulations and issuances
inconsistent with any provision of this
Act are hereby repealed or modified ac-
cordingly.

Sec. 17. *Effectivity Clause.* - This Act
shall take effect after fifteen (15) days
following its publication in the *Official*
Gazette or in at least two (2) national
newspapers of general circulation.

Approved: December 22, 1997

(Sgd.) FIDEL V. RAMOS
President of the Philippines

REPUBLIC ACT NO. 8441

AN ACT INCREASING THE CASH
GIFT TO FIVE THOUSAND PESOS
(P5,000.00) AMENDING FOR THE
PURPOSE CERTAIN SECTIONS OF
REPUBLIC ACT NUMBERED SIX
THOUSAND SIX HUNDRED EIGHTY-

Section 1. Section 1 of Republic Act
No. 6686 is hereby amended to read as
follows:

Section 1. All officials and employ-
ees of the National Government who have
rendered at least four months of service
from January 1 to October 31 of each
year and who are employed in the gov-
ernment service as of October 31 of the
same year shall each receive a Christ-
mas bonus equivalent to one month ba-
sic salary and additional cash gift of Five
thousand pesos (P5,000.00) to be im-
plemented over a period of three (3)
years, to wit:

"(a) Two thousand pesos (P2,000.00)
for the Christmas Year 1997;

"(b) Three thousand pesos
(P3,000.00) for the Christmas Year 1998;
and

"(c) Five thousand pesos (P5,000.00)
for the Christmas Year 1999 and there-
after."

Sec. 2. Section 2 of Republic Act No.
6686 is hereby amended to read as fol-
lows:

"Sec. 2. Officials and employees of
the National Government who have ren-
dered less than four months of service
from January 1 to October 31 of each
year and who are employed in the gov-
ernment service as of October 31 of the
same year shall be entitled solely to the
following percentage of the cash gift:

"Length of Service Percentage

"3 months but less than 4 months 40%

"2 months but less than 3 months 30%

"1 month but less than 2 months 20%

"Less than one month 10%

Sec. 3. Section 3 of Republic Act No.
6686 is hereby amended to read as fol-
lows:

"Sec. 3. For CY 1997, the amount
needed to implement this Act for national
officials and employees, and barangay
chairmen under Section 5 hereof shall
be taken from current year's appro-
priations for the Miscellaneous Person-
nel Benefits Fund and appropriation sav-

cluded in the annual General Appropria-
tions Act."

Sec. 4. Section 4 of Republic Act No.
6686 is hereby amended to read as fol-
lows:

"Sec. 4. All officials and employees
of local government units may receive
the same benefits as are provided under
Sections 1 and 2 of this Act chargeable
against their respective local funds. For
CY 1997, local government units (mun-
icipalities, cities and provinces) may
realign their budgets to give priority to
the funding requirements under this Act
and any deficiency may be looked as ac-
counts payable to be paid on a first pri-
ority basis in succeeding years."

Sec. 5. Section 5 of Republic Act No.
6686 is hereby amended to read as fol-
lows:

"Sec. 5. Barangay chairmen shall each
receive a cash gift of Five thousand pe-
sos (P5,000.00) payable out of the funds
provided for in Section 3 hereof. This
shall be implemented in accordance with
Sections 1 and 2 of this Act."

Sec. 6. Section 6 of Republic Act No.
6686 is hereby amended to read as fol-
lows:

✓ "Sec. 6. No official or employee shall
receive Christmas bonus from any and
all sources in excess of the one month
basic salary and cash gift as provided
under Sections 1 and 2 of this Act."

Sec. 7. All laws, executive issuances
and any rules and regulations which may
be inconsistent with any of the provi-
sions of this Act are hereby deemed
amended, repealed and modified accord-
ingly.

Sec. 8. This Act shall take effect upon
its approval.

Approved: December 22, 1997

(Sgd.) FIDEL V. RAMOS
President of the Philippines

List of Supreme Court ... from page 18.

110379.	Hon. Armand Fabella, et al. vs. The CA, et al.	3rd D	Panganiban, J.
118104-06	People of the Phil. vs. Sixto Recio y Magpantay, et al.	3rd D	Romero, J.
		3rd	Francisco, J.

42. 122757-61	People of the Phil. vs. Eduardo 2nd "Edwin" Taton	Puno, J. D
43. 126383	San Juan Dios Hospital Employees Association AFW/MA. Consuelo Maquiling, et al. vs. NLRC, et al.	3rd D Francisco, J.
44. 127553	Eddie Manuel, et al. vs. N.C. Construction Supply, et al.	2nd D Puno, J.

Stamps File

RA H 8441