

[REPUBLIC ACT NO. 6040, August 04, 1969]

**AN ACT TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT
NUMBERED TWO THOUSAND TWO HUNDRED AND SIXTY,
KNOWN AS THE "CIVIL SERVICE ACT OF 1959".**

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

SECTION 1. Section Three of Republic Act Numbered Two thousand two hundred sixty is hereby amended to read as follows:

"SEC. 3. *Positions Embraced in the Civil Service.*— The Philippine Civil Service shall embrace all branches, subdivisions and instrumentalities of the Government, including government-owned or controlled corporations, and appointments therein, except as to those which are policy-determining, primarily confidential or highly technical in nature, shall be made only according to merit and fitness, to be determined as far as practicable by competitive examination. Positions included in the civil service fall into three categories: namely, competitive service, non-competitive service, and exempt service. The exempt service does not fall within the scope of this law."

SEC. 2. Section Four of the same Act is hereby amended to read as follows:

"SEC. 4. *The Competitive Service.*— The competitive service shall include positions for appointment to which prior qualification or successful passing in an appropriate examination is required."

SEC. 3. Section Five of the same Act is hereby amended to read as follows:

"SEC. 5. *The Non-Competitive Service.*—The non-competitive service shall be composed of positions expressly declared by law to be in the non-competitive service and those which are policy-determining, primarily confidential or highly technical in nature.

"The following specific officers and employees shall be embraced in the non-competitive service:

"(a) Officers appointed by the President of the Philippines with the consent of the Commission on Appointments, except provincial treasurers, undersecretaries of departments, chiefs and assistant chiefs of bureaus and offices, and all other inferior officers of the Government whose appointments are by law vested in the President alone; "(b) The secretarial and office staff of the President, of the Vice-President, of the President of the Senate, of the Speaker of the House of Representatives and of each Member of the Congress of the Philippines including the personnel of all offices of the Chairmen of committees of both Houses of the Congress;

"(c) The Secretarial Staff of each of the several heads of departments and of each of the justices of the Supreme Court and the Court of Appeals;

"(d) Officers as may be required and chosen by the Congress of the Philippines in accordance with the Constitution ;

"(e) Members of the various faculties and other academic personnel of the University of the Philippines and other government colleges offering courses on the collegiate level, including the business directors and registrars of said institutions;

"(f) Heads of departments created in charters of cities and secretaries of provincial, city and municipal boards or councils and secretaries of provincial governors, city mayors and municipal mayors;

"(g) Permanent laborers, whether skilled or unskilled;

"(h) All supplementary employees in the Senate and the House of Representatives of Congress;

"(i) Officers and employees appointed to positions for which the law prescribes specific special qualifications for appointment;

"(j) Confidential assistant, confidential agents, investigation agents and special and secret service agents; and

"(k) Commercial attaches."

SEC. 4. Section Six of the same Act is hereby amended to read as follows:

"SEC. 6. *The Exempt Service.*— The exempt service shall consist of the following:

"(a) Elective officers;

"(b) Members of the Commissioned and enlisted service of the Army, Navy and Air Force of the Philippines; and

"(c) Persons employed on a contract basis not exceeding one year which may be renewable but not exceeding four continuous years and those in government-owned or controlled corporations primarily performing proprietary functions with collective bargaining agreements, as well as temporary, emergency or casual laborers."

SEC. 5. Section seven of the same Act is hereby amended to read as follows:

"SEC. 7. *Civil Service Commission*.— There is hereby established a Civil Service Commission the head of which shall be known as the Commissioner of Civil Service who shall be responsible for the discharge of the duties and functions of the Commission. He shall be appointed by the President of the Philippines with the consent of the Commission on Appointments and who shall hold office for a term of nine years and may not be reappointed. The Commissioner shall have the same qualifications as justices of the Court of Appeals and must be sufficiently familiar with the principles and methods of personnel administration and known to be in sympathy with the merit system. He may be removed from office only for cause and after investigation. The Commissioner of Civil Service shall be an *ex-officio* member of the Cabinet.

"The Commission shall keep records and minutes of its business and official actions, and such records and minutes shall be public records open to public inspection at such hours and under such conditions as the Commission may prescribe.

"There shall be a Deputy Commissioner of Civil Service appointed in the same manner as the Commissioner who shall assist the Commissioner and perform such duties and functions as may be assigned to him by the Commissioner and such others as may be imposed upon him by law. In the absence of the Commissioner, he shall act as head of the Commission."

"The Commissioner may appoint an Executive Director, who shall perform the duties of Secretary of the Commission and such other functions as may be assigned to him by the Commissioner, with a salary of sixteen thousand eight hundred pesos a year."

"There shall be in the Civil Service Commission a Legal Affairs Department which shall assist the Commissioner in performing his quasi-judicial and legal functions to be composed of the following:

One chief Civil Service Attorney at sixteen thousand two hundred pesos *per annum*;

Two Assistant Chief Civil Service Attorneys at thirteen thousand pesos *per annum* each;

Six Supervising Civil Service Attorneys at twelve thousand pesos *per annum* each;

Six Senior Civil Service Attorneys at Ten thousand eight hundred pesos *per annum* each;

Six Civil Service Attorneys III at Nine thousand six hundred pesos *per annum* each;

Six Civil Service Attorneys II at eight thousand four hundred pesos *per annum* each;

Six Civil Service Attorneys I at Seven thousand eight hundred pesos *per annum* each;

Six Civil Service Legal Aides II at live thousand four hundred pesos *per*

annum each;

Six Civil Service Legal Aides I at Four thousand eight hundred pesos *per annum* each;

One Chief, Docket and Library Section at Six thousand six hundred pesos *per annum*;

One Chief, Secretarial and Stenographers Section at Five thousand seven hundred pesos *per annum*;

Four Supervising Stenographers at Five thousand one hundred pesos *per annum* each;

Nine Stenographic Reporters at four thousand four hundred pesos *per annum* each;

Twelve Stenographers at Three thousand nine hundred pesos *per annum* each;

One Librarian at three thousand one hundred twenty pesos *per annum*;

One Records Officer at Five thousand four hundred pesos *per annum*;

Four Proofreaders at three thousand three hundred pesos *per annum* each; Two Supervising Clerks at four thousand four hundred pesos *per annum* each;

Two Docket Clerks at three thousand six hundred pesos *per annum* each;

Five Senior Clerks at three thousand three hundred pesos *per annum* each;

Ten Clerks at two thousand seven hundred pesos *per annum* each; and

Two Messengers at Two thousand four hundred pesos *per annum* each.

SEC. 6. Section eight of the same Act is hereby amended to read as follows:

"SEC. 8. *Regional Offices.*— The Commissioner of Civil Service may, as the public interest may require, establish regional offices of the Civil Service Commission at Dagupan City, Tuguegarao (Cagayan), Naga City, Iloilo City, Cebu City, Tacloban City, City of Cagayan de Oro, Davao City and Zamboanga City, and such other places as public interest may require, to provide expeditious service to the various branches, subdivisions and instrumentalities of the government in the areas to which the respective Regional Offices are most conveniently accessible.

"The Heads of such offices shall be appointed by the Commissioner from qualified employees residing in the region and they shall exercise, with respect to any position within the region, whether provincial, city or municipal, the function of the Commission provided for in section 16(h) of this Act and perform such other functions and exercise such authority as may be specifically delegated by the Commissioner: *Provided*, That the action of such heads may be appealed to the Commission within thirty days from receipt of notice thereof by the appealing party.

"The head or chief of each regional office shall be provided with the necessary office personnel who shall be appointed by the Commissioner of Civil Service in accordance with the Civil Service Law and rules."

"There shall be in each province and city a civil service attorney to be appointed by the Commissioner of Civil Service and who shall receive six

thousand pesos *per annum* and a stenographer who shall receive two thousand four hundred pesos *per annum*.

The Civil Service Attorney shall conduct investigations of Administrative complaints and violations of Civil Service Law, rules and regulations, note and/or disapprove all appointments of provincial, municipal, and city officials and employees within their respective territorial jurisdictions and perform such other duties as the Commissioner may delegate to them. Upon approval of this amendatory Act, the power to attest or approve appointments heretofore vested upon provincial and city treasurer is hereby terminated."

SEC. 7. Section Fifteen of the said Act is hereby amended to read as follows:

"SEC. 15. *Salaries of Commissioner and Deputy Commissioner.*— The annual salary of the Commissioner shall be twenty four thousand pesos and the Deputy Commissioner eighteen thousand pesos *per annum*.

SEC. 8. Section sixteen of the same Act is hereby amended to read as follows:

"SEC. 16. *Functions of the Commission on Civil Service.*— The following shall be the functions of the Commission on Civil Service—

"(a) To assist and advise the President on all matters involving personnel management in the government service;

"(b) To enforce, execute and carry out the constitutional and statutory provisions on the merit system;

"(c) To supervise the preparation and rating and have control of all civil service examinations in the Philippines provided by law and not expressly entrusted by law to some other agency of the government; to foster and develop constructive policies, standards, procedures and programs and give the agencies advice and assistance in improving their personnel programs; and to render such assistance as may be required by other agencies expressly authorized by law to give particular examinations;

"(d) To make annual report to the President and Congress, showing the important personnel management activities during the year and making such recommendations as may more effectively accomplish the purpose of this law;

"(e) With the approval of the President, to prescribe, amend and enforce suitable rules and regulations for carrying into effect the provisions of this Civil Service, Law, and the rules prescribed pursuant to the provisions of this law shall become effective thirty days after publication in the *Official Gazette*;

"(f) To make investigations and special reports upon all matters relating to the enforcement of the Civil Service Law and rules; to inspect and audit the agencies' personnel work programs to determine compliance with the Civil Service Law, rules, standards and other requirements; and