

**[PHILPOST ADMINISTRATIVE ORDER NO. 06-04,
January 07, 2006]**

**REITERATION OF THE GUIDELINES IN THE FILING OF CRIMINAL
CASES FOR MALVERSATION OF PUBLIC FUNDS COMMITTED BY
PPC OFFICIALS AND REMEDY OF ATTACHMENT**

To ensure greater recovery of the shortage incurred for malversation of Public Funds by erring Postal Officials/employees of the Corporation, and for uniformity of procedure in the filing of criminal cases, the following guidelines shall be adhered to strictly:

1. Institution of a Criminal Action.

1.1 Who and Where to File. – In all cases involving Malversation of Public Fund (SHORTAGE) committed by erring officers and employees of the Corporation, the Director, Legal Service, with respect to officer or employee of the Central Office or the Regional Director with respect to officer or employees in the regional office shall, simultaneously or even before the filing of the formal charge in the administrative case, institute a criminal complaint against the respondent officer or employee in the proper office of the Ombudsman or Prosecutor's Office within their territorial jurisdiction.

1.2 When to File. – The filing of the criminal and administrative charge referred to in the preceding paragraph shall be instituted immediately upon receipt of the final audit report of examining officer/s but not later than ten (10) working days from receipt thereof. However, before filing the criminal case, utmost efforts must be exerted to recover the amount malversed.

To avoid delays, in the trial and resolution of the case before the courts, the examining officer/s shall furnish the Director, Legal Service, and the Regional Director concerned, with the duplicate original of the final audit report and other documents. The original audit report and other documents shall be under the custody of the head of the examining officer.

All criminal cases filed by the Regional Director with the proper court or agency shall be furnished the Legal Service, Central office, for monitoring and technical supervision.

1.3 Prosecution of Criminal Cases. – the Director, Legal Service, or the Regional Director concerned shall coordinate with the Ombudsman or Prosecutor's Office (DOJ) in the prosecution and litigation of the criminal case filed at the Sandiganbayan or regular courts. In criminal cases