

[BOT ORDER NO. 01-95, December 05, 1995]

REVISED REGULATIONS GOVERNING THE FIDELITY BONDING OF GOVERNMENT OFFICIALS AND EMPLOYEES.

I PURPOSE

This Treasury Order amends Treasury Memorandum Circular No. 1-71 pertaining to regulations promulgated for the effective bonding of accountable government officials and employees pursuant to the provisions of Section 50, Chapter IX of Book V of the Administrative Code of 1987.

II COVERAGE

2.1 Except as otherwise herein provided, all officials and employees of National Government Agencies (NGAs), Government Owned and/or Controlled Corporations (GOCCs), Local Government Units (LGUs), Self Governing Boards and Commissions and all others concerned shall, whenever the duties performed permit or require the custody of funds/properly/accountable forms, be covered by a fidelity bond.

2.2 Accountable officials and employees discharging their duties in a foreign country.

2.3 Officials and employees accountable to others who are primarily accountable.

III ACCOUNTABLE RISKS

3.1 When a bonded official or employee or applicant for bonding is not, in the judgment of the Bureau of Treasury Fiscal Examiner IV (BTr FE IV), a safe and conservative risk, owing to character, associations, or habits, the fact shall be reported to the respective head of departments, bureaus, offices, local government units, self governing boards and commissions who shall cause the removal or relief of the official or employee of such duties requiring, a bond. The decision of the BTr FE IV may be appealed to the Treasurer of the Philippines through the BTr Regional Director (RD), whose decision shall be final.

3.2 Officials, having direct or general supervision over accountable officials shall take steps to safeguard the interest of the government.

3.3 Upon discovery of a shortage or total loss proper steps shall be taken by the agencies and/or COA to proceed against the accountable official or employee and his property, real or personal, on which attachment and execution shall be levied as provided by law.

3.4 The office which uncovers a malversation or shortage shall notify promptly the BTr FE IV by telegram, and keep BTr FE IV advised on the status of the case.

4.0 PROCEDURE FOR BONDING

4.1 Appointment or lawful accession by any person to a bonded or bondable position or office, shall be notified immediately by the agency to the BTr FE IV of the province or region where the appointee is assigned.

4.2 Three copies of General Form No. 57(A), shall be used in the notification, request for application, increase, reduce, cancel or transfer of a bond, duly signed by the head of agency concerned.

4.3 Every applicant for bond shall accomplish General Form No. 58(A) in four (4) copies, which shall be subscribed and sworn to before any officer duly authorized by law.

4.4 The duly accomplished General Form 58(A) with three (3) photographs in affixed shall be endorsed by the head of agency, or office concerned to BTr FE IV in the province or region together with the request for bonding, General Form No. 57(A), for approval.

4.5 All applications for bonding shall be accompanied by the following:

4.5.1 Sworn Statement of Assets and Liabilities as of the date of applications and request for bonding.

4.5.2 Latest approved appointment to bondable position.

4.5.3 If the position of the applicant is not bondable but applicant is given bondable duties, Office Order or Designation.

4.5.4 Proof of payment of bond premium deposited with an Authorized Government Depository Bank (AGDB).

5.0 PROCEDURE FOR BOND CANCELLATION

5.1 Accountable officials/employees who are no longer accountable by reason of retirement, separation from the service, promotion, transfer to another position or agency, suspension from office or for any other cause, shall submit immediately a request for bond cancellation using General Form No. 57(A), items 14 to 18 only, to the BTr Fiscal Examiner IV in the province or region of said accountable official/employee.

5.2 No bonded official/employee shall be given clearance by the agency from money and property accountability without proof of bond cancellation as required in paragraph 5.1.

6.0 AMOUNT OF BOND