

[REPUBLIC ACT NO. 7430, April 15, 1992]

**AN ACT PROVIDING FOR OPTIMUM UTILIZATION OF PERSONNEL
IN GOVERNMENT SERVICE THROUGH A SYSTEM OF ATTRITION,
PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR
OTHER PURPOSES**

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

SECTION 1. *Declaration of Policy.* - It is the policy of the State to give highest priority to measures that will promote morale, efficiency, integrity, responsiveness and progressiveness in the civil service. Towards this end, optimum utilization of personnel shall be assured through the institution of a system of attrition in government.

SEC. 2. *Definition of Terms.* - As used in this Act, the following terms shall mean:

- a. "Attrition" - The reduction of personnel as a result of resignation, retirement, dismissal in accordance with existing laws, death or transfer to another office; and
- b. "Government" - Includes the National Government, and all its instrumentalities or agencies including government-owned or - controlled corporations and their subsidiaries, excluding local government units.

SEC. 3. *Attrition* - Within five (5) years from the approval of this Act, no appointment shall be made to fill vacated positions in any government office as a result of resignation, retirement, dismissal, death or transfer to another office of an officer or employee: *Provided, however,* That this prohibition shall not apply in the following instances:

- a. Where the position is head of a primary organic unit such as chief of division;
- b. Where the position is the lone position in the organizational unit it corresponds to a particular expertise that is intrinsic to the desired basic capability of the unit concerned;
- c. Where the positions are basic positions for the initial operations of newly created or activated agencies or, in the case of other agencies, where the positions are vital and necessary for the continued and efficient operation of said agencies;
- d. Where the positions are difficult to fill considering the qualifications required therefor, as in the case of doctors, lawyers and other professionals;
- e. Where the positions are found in agencies declared to be understaffed;
- f. Positions in Congress or in the Judiciary;
- g. Appointments or designations extended by the President;
- h. Where the positions are found in local government units;
- i. Teaching personnel; and