

[REPUBLIC ACT NO. 2260, June 19, 1959]

**AN ACT TO AMEND AND REVISE THE LAWS RELATIVE TO
PHILIPPINE CIVIL SERVICE**

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

ARTICLE I.—Introduction

SECTION 1. *Title of Act.*—This Act shall be known as the Civil Service Act of 1959.

SEC. 2. *General Purpose.*—The general purpose of this Act is to insure and promote the constitutional mandate regarding appointments only according to merit and fitness, and to provide within the public service a progressive system of personnel administration to insure the maintenance of an honest, efficient, progressive and courteous civil service in the Philippines.

ARTICLE II.—Scope of the Civil Service

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 or classified service non-competitive or unclassified service and exempt service. The exempt service does not fall within the scope of this law.

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

SEC 5. *The Non-Competitive Service.*—The non-competitive or unclassified service shall be composed of positions expressly declared by law to be in the non-competitive or unclassified service or 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 or unclassified service:

- a. Officers appointed by the President of the Philippines with the consent of the Commission on Appointments, except provincial treasurers 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 the committees of both Houses of the Congress;
- c. One private secretary and one assistant private secretary to each of the several Heads of Departments and to 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 teaching force 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. Secretaries of provincial, city and municipal boards or councils;
- g. Unskilled laborers whether emergency, seasonal or permanent; and
- h. All supplementary employees in the Senate and the House of Representatives of Congress.

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

ARTICLE II.—*Organization*

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 and 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 Commission on Appointments and shall hold office for term of nine years and may not be reappointed. The Commissioner may be removed from office only for cause after investigation. The Commissioner of Civil Service shall have the rank of a Department Secretary and be an *ex-officio* member of the cabinet.

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 as may be imposed upon him by law. In the absence of the Commissioner, he shall act as head of the Commission.

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, 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 and shall perform such functions and exercise such authority as may be specifically delegated by the Commissioner.

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.

SEC. 9. *Wage and Position Classification Office.*—The Wage and Position Classification Office shall be responsible for the classification of positions in the civil service and shall standardize the salaries of the group or groups of positions so classified: Provided, That the range of minimum and maximum salaries allowable for civil service eligibilities shall be:

Eligibilities	Minimum	Maximum
First Grade	P2,400	No limit
Second Grade	1,800	P3,720
Third Grade	1,440	2,400
Senior Stenographer	2,400	No limit
Junior Stenographer	1,800	3,720
Senior Typist	1,920	3,720
Junior Typist	1,560	2,400

It shall be transferred to the Civil Service Commission as an integral agency of the Civil Service system by executive order of the President upon the full implementation of the classification and pay plans.

SEC. 10. *Line Departments.*—The Department Head is responsible for personnel administration in his Department and with the assistance of the personnel officer of the Department shall take all personnel actions in accordance with the Civil Service Law and with the rules, standards, guidelines and regulations set by the Civil Service Commission.

SEC. 11. *Civil Service Board of Appeals.*—There shall Civil Service Board of Appeals composed of a Chair-ti and two members to be appointed by the President of the Philippines with the consent of the Commission on ADD ointments who shall be full-time officials, and who shall hold office during good behavior unless sooner relieved for cause by the President. The Chairman and members of the Board shall have the same qualifications as Justices of the Court of Appeals.

The Chairman shall receive an annual compensation of twelve thousand pesos and the other members shall each be paid at a compensation of ten thousand pesos *per annum*.

Hearings of the Board shall be open to the public; and no meeting or hearings of the Board shall be held unless at least two of the members of the Board are present. The Board shall keep records and minutes of its business and official action, and such records and minutes shall 'be public records open to public inspection, subject to such rules as to hours and conditions of inspection as the Board may establish.

SEC. 12. *Council of Personnel officers.*—There is hereby created a Council of Personnel Officers to be composed of chief personnel officers of the different executive departments and of agencies with the category of department that the

Commissioner of Civil Service shall select for membership. Except for its Executive Officer who shall be designated by the Commissioner from among the appropriate officials in the Civil Service Commission, the Council is authorized to elect such other officers from among its members and to fix its own rules of procedure concerning attendance at meetings, approval of policy declarations, and other business matters. Provisions for facilities and clerical assistance for the Council be made in the annual budget of the Commission.

The Council shall have the following functions:

- a. Upon request of the Head of Department or the Commissioner to offer advice in developing constructive policies, standards, procedures, and programs as well as on matters relating to the improvement of personnel methods and to the solution of personnel problems confronting the various departments and agencies of the Government;
- b. To promote among the departments and agencies, through study and discussion, uniform and consistent interpretation and application of personnel policies; and
- c. To serve as a clearing house of information and to stimulate the use of methods of personnel management that will contribute most to good government.

SEC. 13. *Examining Committees, Special Examiners and Special Investigators.*—Subject to approval by the proper Head of Department, the Commissioner of Civil Service may select suitable persons in the government service to act as members of examining committees, special examiners or special investigators. Such persons shall be designated examiners or investigators of the Commission and shall perform such duties as the Commissioner may require in connection with examinations, appointments, promotions and investigations; and in the performance of such duties they shall be under his exclusive control. Examining committees, special examiners or special investigators so appointed may be allowed additional compensation for their service, to be paid out of the funds of the Commission, at a rate to be determined by the Commissioner.

ARTICLE IV.—*Qualifications, Salaries, Powers and Duties*

SEC. 14. *Qualifications of Commissioner and Deputy Commissioner.*—To be eligible for appointment as Commissioner or Deputy Commissioner of Civil Service, a person should be a citizen of the Philippines, at least thirty-five years of age, sufficiently familiar with the principles and methods of personnel administration and known to be in sympathy with the merit system and should have at least five years of responsible and progressive experience as an executive: *Provided*, That nothing in this law shall affect the tenures of office of the incumbent Commissioner or Deputy Commissioner of Civil Service.

SEC. 15. *Salaries of Commissioner and Deputy Commissioner.*—The annual salary of the Commissioner shall not be less than twelve thousand pesos and the salary of the Deputy Commissioner shall not be less than ten thousand pesos.

SEC. 16. *Powers and Duties of the Commissioner of Civil Service.*—It shall be among the powers and duties of the Commissioner of 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; to foster and develop constructive policies, standards, procedures and programs and give the agencies advice and assistance in improving their personnel programs;
- 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 by 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 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 to take corrective measures when unsatisfactory situations are found;
- g. To issue *subpoena* and *subpoena duces tecum* requiring the appearance of witnesses and the production of books and papers pertinent to the investigation and inquiries thereby authorized, and to examine them and such books and papers as it shall need in relation to any matter it is required to investigate;
- h. To have exclusive jurisdiction over the approval under the Civil Service Law and rules of all appointments including promotions to positions in the competitive service;
- i. Except as otherwise provided by law, to have final authority to pass upon the removal, separation and suspension of all permanent officers and employees in the competitive or classified service and upon all matters relating to the conduct, discipline, and efficiency of such officers and employees; and to prescribe standards, guidelines and regulations governing the administration of discipline;
- j. To hear and determine appeals instituted by any person believing himself aggrieved by an action or determination of any appointing authority contrary to the provisions of the Civil Service Law and rules, and to provide rules and regulations governing such appeals, and he may make such investigations or inquiries into the facts relating to the action or determination appealed from as may be deemed advisable and may affirm, review, or modify such action or determination, and the decision of the Commissioner shall be final; and
- k. To perform other functions that properly belong to a central personnel agency.

SEC. 17. Powers and Duties of the Regional Directors.—The Regional Director shall be the immediate representative of the Commissioner of Civil Service and, subject to the exclusive control and supervision of the Commissioner, shall perform within the territorial limits of his region such duties as the Commissioner may assign or require in connection with examinations, appointments, promotions, investigations, and the enforcement of the Civil Service Law, rules and regulations.