



Office of the Chairman

CSC MC. No. 27, s. 2001

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENT UNITS INCLUDING GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : AMENDMENTS TO SECTION 12, RULE XIII OF CSC MC NO. 15, s. 1999

Pursuant to its rule-making function, and considering the need to update CSC Memorandum Circular No. 40, s. 1998 which provided for the Revised Omnibus Rules on Appointments and Other Personnel Actions, the Commission issued CSC Memorandum Circular No. 15, s. 1999, which incorporated additional provisions and instituted amendments to CSC Memorandum Circular No. 40, s. 1998. Among the provisions of CSC MC 40, s. 1998 which were amended under CSC MC No. 15, s. 1999 was Section 12, Rule XIII, particularly its second paragraph. However, in the printing of the amendments specifically the last phrase of the first paragraph of said section, a typographical error was inadvertently committed.

Said typographical error gives the impression that a person who has reached the compulsory retirement age of 65 can no longer be appointed to any government position regardless of the nature and status of appointment, which was not the intention of the Commission.

In addition to this, the Commission has noted that most requests for extension of service received by the CSC do not comply with the requirements set forth under various CSC Memorandum Circulars, thereby leading to the dismissal of said requests. In order to preclude this from happening, the Commission saw the need to further clarify the procedure for extension of service.

Relative thereto, the Commission has issued **CSC Resolution No. 011624** amending and clarifying Section 12, Rule XIII of CSC MC No. 15, s. 1999, as follows:

*Section 12. a) No person who has reached the compulsory retirement age of 65 years can be appointed to **any** position in the government, subject only to the exception provided under sub-section (b) hereof.*

However, in meritorious cases, the Commission may allow the extension of service of a person who has reached the compulsory retirement age of 65 years, for a period of six (6) months only unless otherwise stated. Provided, that, such extension may be for a maximum period of one (1) year for one who will complete the fifteen (15) years of service required under the GSIS Law.

A request for extension shall be made by the head of office and shall be filed with the Commission not later than three (3) months prior to the date of the official/employee's compulsory retirement.

Henceforth, the only basis for Heads of Offices to allow an employee to continue rendering service after his/her 65th birthday is a Resolution of the Commission granting the request for extension. Absent such Resolution, the salaries of the said employee shall be for the personal account of the responsible official.

Services rendered during the period of extension shall no longer be credited as government service. However, services rendered specifically for the purpose of completing the 15 years of service required under the GSIS Law shall be credited as part of government service for purposes of retirement.

An employee on service extension shall be entitled to salaries, allowances and other remunerations, that are normally considered part and parcel of an employee's compensation package, subject to existing regulations on the grant thereof.

a.1. The following documents shall be submitted to the Commission:

- 1. Request for extension of service signed by the Head of Office, containing the justifications for the request;*
- 2. Certification that the employee subject of request is still mentally and physically fit to perform the duties and functions of his/her position;*
- 3. Certified true copy of the employee's Certificate of Live Birth;*

4. *Service Record of the employee if the purpose of the extension is to complete the 15-year service requirement under the GSIS law;*
5. *Proof of payment of the filing fee in the amount of Two Hundred Pesos (P200.00).*

b) A person who has already reached the compulsory retirement age of 65 can still be appointed to a coterminous/primarily confidential position in the government.

A person appointed to a coterminous/primarily confidential position who reaches the age of 65 years is considered automatically extended in the service until the expiry date of his/her appointment or until his/her services are earlier terminated.

This Memorandum Circular shall take effect immediately.



KARINA CONSTANTINO-DAVID
Chairman

October 08, 2001

Och/Rgb/extension/ABS/AGG/eca/sec.12-mc15s.99



Serbisyo Sibil: Isang Daang Taong Paglilingkod

Re: Amendments to Section 12, Rule XIII,
CSC MC No. 15 s. 1999
(Extension of Service)

x ----- x

RESOLUTION NO. 011624

WHEREAS, the Civil Service Commission is empowered to prescribe, amend, and enforce rules and regulations to carry into effect the provisions of the Civil Service Law;

WHEREAS, in line with its rule-making function, the Commission issued CSC Memorandum Circular No. 40, s. 1998, otherwise known as the Revised Omnibus Rules on Appointments and Other Personnel Actions (published in the Manila Times on December 30, 1998);

WHEREAS, considering the need to update said Rules, the Commission issued CSC Memorandum Circular No. 15, s. 1999, (published in the Manila Times on September 11, 1999), which incorporated additional provisions and amendments to CSC Memorandum Circular No. 40, s. 1998;

WHEREAS, among the provisions of CSC MC No. 40, s. 1998 which are amended by CSC MC No. 15, s. 1999 is Section 12, Rule XIII;

WHEREAS, the amendments in Section 12 of CSC MC No. 15, s. 1999 inadvertently give the impression that persons who have reached the compulsory retirement age of 65 can no longer be appointed to any government position regardless of the nature and status of appointment which was not actually the intention of the Commission;

WHEREAS, in view of the influx of requests for extension of services, there is a need to further clarify the procedure for extension of service;

WHEREFORE, the Commission hereby amends and clarifies Section 12, Rule XIII of CSC MC No. 15, s. 1999 as follows:

Section 12. a) No person who has reached the compulsory retirement age of 65 years can be appointed to any position in the government, subject only to the exception provided under sub-section (b) hereof.

However, in meritorious cases, the Commission may allow the extension of service of a person who has reached the compulsory retirement age of 65 years, for a period of six (6) months only unless otherwise stated. Provided, that, such extension may be for a maximum period of one (1) year for one who will complete the fifteen (15) years of service required under the GSIS Law.

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Henceforth, the only basis for Heads of Offices to allow an employee to continue rendering service after his/her 65th birthday is a Resolution of the Commission granting the request for extension. Absent such Resolution, the salaries of the said employee shall be for the personal account of the responsible official.

Services rendered during the period of extension shall no longer be credited as government service. However, services rendered specifically for the purpose of completing the 15 years of service required under the GSIS Law shall be credited as part of government service for purposes of retirement.

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- 4. Service Record of the employee if the purpose of the extension is to complete the 15 year service requirement under the GSIS law;*
- 5. Proof of payment of the filing fee in the amount of Two Hundred Pesos (P200.00).*

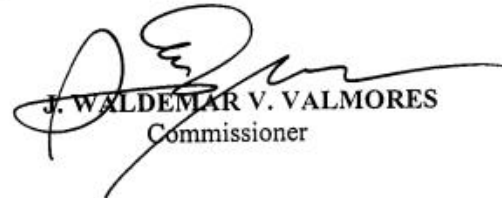
b) A person who has already reached the compulsory retirement age of 65 can still be appointed to a coterminous/primarily confidential position in the government.

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Quezon City, OCT 04 2001


KARINA CONSTANTINO-DAVID
Chairman


JOSE F. ERESTAIN, JR.
Commissioner


J. WALDEMAR V. VALMORES
Commissioner

Attested by:


ARIEL G. RONQUILLO
Director III