



**REITERATION OF THE  
ATTESTATION POWER  
OF THE COMMISSION OVER  
APPOINTMENTS ISSUED TO  
MANAGERIAL AND EXECUTIVE  
POSITIONS NOT FALLING WITHIN  
THE APPOINTING POWER  
OF THE PRESIDENT**

Number: 1000009  
Promulgated: 10 AUG 2010

X-----X

**RESOLUTION**

**WHEREAS**, the Civil Service Commission is the constitutionally-mandated central personnel agency of the government and in consonance therewith, it is mandated under **Section 12 (1), Chapter 3, Title I-A, Book V of Executive Order No. 292 (Administrative Code of 1987)**, to administer and enforce the constitutional and statutory provisions on the merit system for all levels and ranks in the civil service;

**WHEREAS**, it is similarly empowered under the same Administrative Code to prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the civil service and other pertinent laws (**Section 12 [2], Chapter 3, Title I-A, Book V of EO 292**) as well as to promulgate policies, standards and guidelines to promote economical, efficient and effective public personnel administration (**Section 12 [3], Chapter 3, Title I-A, Book V of EO 292**);

**WHEREAS**, the Commission is further endowed with the authority to take appropriate action on all appointments and other personnel matters in the civil service (**Section 12 [14], Chapter 3, Title I-A, Book V of EO 292**);

**WHEREAS**, the Commission recently enacted **CSC Resolution No. 10-0623 dated March 29, 2010**, as circularized via **CSC Memorandum Circular No. 7, s. 2010**, clarifying that managerial and executive positions the incumbents of which are not appointed by the President do not form part of the third level but shall belong to the second level;

**WHEREAS**, the aforesaid resolution was promulgated in the wake of the pronouncement of the Supreme Court in the recent case of **National Transmission Corporation vs. Hamoy (G.R. No. 179255, April 2, 2009)** to the effect that only presidential appointees belong to the third level;

*W*

**WHEREAS**, the Commission is cognizant of some attendant confusion relative to the review and attestation of appointments to managerial and executive positions that are contemplated in the above-mentioned CSC Resolution No. 10-0623 dated March 29, 2010;

**WHEREFORE**, foregoing premises considered, the Commission hereby reiterates its power to attest appointments to managerial and executive positions not filled by presidential appointments, notwithstanding any existing rules and regulations to the contrary.

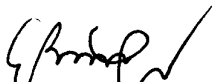
Quezon City.

  
**FRANCISCO T. DUQUE III**  
Chairman

  
**CESAR D. BUENAFLOR**  
Commissioner

  
**MARY ANN Z. FERNANDEZ-MENDOZA**  
Commissioner

Attested by:

  
**DOLORES B. BONIFACIO**  
Director IV  
Commission Secretariat and Liaison Office