

MALACAÑANG  
MANILA

ADMINISTRATIVE ORDER NO. 58

DIRECTING THE IMMEDIATE REAPPOINTMENT AND PAYMENT OF SALARIES AND OTHER REMUNERATION OF NATIONAL GOVERNMENT PERSONNEL TRANSFERRED TO LOCAL GOVERNMENT UNITS PURSUANT TO THE DEVOLUTION OF FUNCTIONS, POWERS AND RESPONSIBILITIES MANDATED UNDER THE LOCAL GOVERNMENT CODE OF 1991

WHEREAS, personnel of national government agencies affected by the devolution of powers, functions and responsibilities have been transferred to local government units pursuant to the provisions of the *Local Government Code of 1991*;

WHEREAS, the absorption of said personnel by the local government units to which they belong or in whose areas they are assigned is mandatory, except when it is not administratively viable as determined by the Oversight Committee constituted under Section 533 of the *Code*;

WHEREAS, the rights accorded to such personnel pursuant to Civil Service laws, rules, and regulations shall not be impaired as a consequence of the devolution;

WHEREAS, pursuant to Section 78 of the *Code*, the Civil Service Commission has declared that devolved permanent personnel shall be automatically reappointed by the local chief executives concerned immediately upon their transfer; and

WHEREAS, local government units have been directed to include in their respective annual budgets for the fiscal year 1993 the personal services and maintenance and other operating expenditure requirements for the exercise of the devolved functions of such national government agencies as the Department of Agriculture, Department of Environment and Natural Resources, Department of Health, and the Department of Social Welfare and Development.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, upon the recommendation of the Oversight Committee constituted under Section 533 of the *Code*, through its Chairman, do hereby order and direct:

Section 1. Reappointment of Devolved Personnel. - All positions transferred from national government agencies affected by the devolution shall be deemed automatically created and integrated in the existing organizational structures and staffing patterns of local government units. The incumbents of such positions shall be immediately issued notices of reappointments by the concerned local

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chief executives, effective as of the actual date of transfer. The said incumbents shall be entitled to receive their salaries and other remuneration from the local government units starting on the effectivity dates of their reappointment. Advances made by the Department of Agriculture and the Department of Health for the 1 January - 31 March 1993 requirement of their devolved functions and personnel pursuant to Executive Order No. 51, dated 22 January 1993, shall be deemed paid by the local government units upon deduction of the corresponding amounts from their respective internal revenue allotment shares.

Section 2. Exemptions. - Local government units may be exempted from the reappointment of certain devolved personnel upon Oversight Committee determination of administrative non-viability. Pending such determination, the salaries and other remuneration of the personnel in question shall continue to be paid by the concerned local government units. The national government shall reimburse such amounts paid once the Oversight Committee determines that the absorption of the devolved personnel is not administratively viable. Requests for exemption shall be submitted through the Civil Service Commission and the Department of the Interior and Local Government.

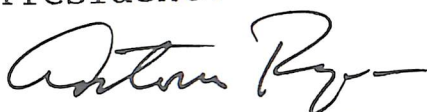
Section 3. Sanctions. - Subject to Civil Service law, rules and regulations, appropriate disciplinary action shall be taken by the Secretary of the Interior and Local Government against local officials found violating this Order. Such amounts as may be necessary to pay for the salaries and other authorized remunerations of the affected devolved personnel shall be deducted by the Department of Budget and Management from the internal revenue allotment shares of the local government units of these local officials and remitted to said affected devolved personnel through their mother agencies.

Section 4. Effectivity. - This Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of June  
in the year of Our Lord, Nineteen Hundred and Ninety-Three. 12



By the President:



ANTONIO T. CARPIO  
Chief Presidential Legal Counsel