

Republika ng Pilipinas
(Republic of the Philippines)
KAGAWARAN NG EDUCASYON AT KULTURA
(DEPARTMENT OF EDUCATION AND CULTURE)
Manila

April 14, 1976

DEPARTMENT MEMORANDUM
No. 113, s. 1976

REITERATING STRICT OBSERVANCE OF THE POLICY
AGAINST RETROACTIVE APPOINTMENTS

To the: Bureau Directors
Regional Directors
Chiefs of Services and Heads of Units
Coordinator, State Colleges
and Universities
Schools Superintendents

1. Inclosed is a copy of Memorandum Circular No. 395 of the Office of the President dated March 1, 1976, enjoining strict observance of the policy against retroactive appointments embodied in Memorandum Circular No. 328 dated March 9, 1970. In view hereof, no appointment should be made to take effect earlier than the date of issue of the appointment paper except in justifiable cases.
2. Appointments or requests for change of the effectivity of appointments which are not in conformity with the aforementioned Memorandum Circulars shall be returned without action.
3. Strict compliance with this Department Memorandum is desired.

(SGD.) JUAN L. MANUEL
Secretary of Education and Culture

Incl.:
As stated

Reference:

Department Memorandum: No. 212, s. 1975

Allotment: 1-2-3--(D.O. 1-76)

To be indicated in the Perpetual Index
under the following subjects:

~~APPOINTMENT, REAPPOINTMENT, EMPLOYMENT~~
~~BUREAUS and OFFICES~~
~~EMPLOYEES~~
~~RULES and REGULATIONS~~

(Inclosure to Department Memorandum No. 113, s. 1976)

TAAGAPANG NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

MEMORANDUM CIRCULAR NO. 89

REITERATING STRICT OBSERVANCE OF THE POLICY AGAINST
RETROACTIVE APPOINTMENTS

Section 256 of the Revised Administrative Code, provides that "x x x - aside from exceptional cases, approved as such by the proper Head of Department, an appointment or promotion shall not be effective as of a date prior to that upon which the appointment or promotion is actually made x x x." This provision is embodied in Memorandum Circular No. 328 dated March 9, 1970, amending Memorandum Circular No. 319 dated February 19, 1970, which prohibits the filling of vacant positions in line with the policy on fiscal restraint.

In spite, however, of the above prohibition regarding retroactive appointments, an alarmingly increasing number of requests for exemption from Memorandum Circular No. 328, series of 1970, has been received in this Office. These requests for change of effectivity of appointments involve additional government expense and thus negate the objectives behind the promulgation of retrenchment measures in government operations.

In view of the continuing retrenchment policy of the government, all heads of Departments, Bureaus and Offices, including government-owned or controlled corporations, are hereby advised that, henceforth, no request to change the effectivity of appointments shall be entertained by this Office except under extraordinary circumstances and accompanied by strong evidence.

This Circular takes effect immediately.

By authority of the President:

(SGE.) JUAN C. TOVARA
Presidential Assistant

Manila, March 2, 1976

A true copy