

Republica ng Pilipinas
(Republic of the Philippines)
KAGABAWAN NG DEKLARASYON AT KULTURA
(DEPARTMENT OF EDUCATION AND CULTURE)
Manila

July 29, 1977

DEPARTMENT MEMORANDA
No. 157; s. 1977

DECLARATION OF POSITIONS AS POLICY-DETERMINING PRIMARILY
CONFIDENTIAL OR HIGHLY TECHNICAL

To: 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. 11, s. 1977, of the Civil Service Commission, relative to the procedure to be observed in requesting for declaration of positions as policy-determining, primarily confidential or highly technical in nature.

2. Attention in this connection is invited to the portion announcing the creation of a Technical Committee through which requests to declare positions as policy-determining primarily confidential or highly technical in nature shall be submitted. Henceforth, all such requests shall first be submitted to the Department of Education and Culture for transmittal to the Technical Committee, c/o Civil Service Commission.

3. Strict compliance is enjoined.

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

Incl.:
As stated

Reference:
F o n o

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

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

BUREAUS & OFFICES
POLICY
RULES & REGULATIONS

Republika ng Filipinas
KOMISYON NG SERBISYO SIBIL
(CIVIL SERVICE COMMISSION)

MC # 11, s. 1977

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS, & OFFICES OF
THE NATIONAL & LOCAL GOVERNMENTS, INCLUDING
GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS.

SUBJECT : Declaration of Positions as Policy Determining,
Primarily Confidential or Highly Technical

Pursuant to the Constitution and as restated in Presidential Decree No. 807, otherwise known as the Civil Service Decree of the Philippines, and in Presidential Decree No. 860, "appointments in the Civil Service, 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 examinations."

It has been observed that many government agencies request that positions in their respective offices which belong to the career service and which call for appropriate civil service eligibilities for purposes of appointment, be declared policy-determining, primarily confidential or highly technical in their desire to employ persons who do not fully meet the requirements for appointment to said positions. To curtail this inimical practice, the Civil Service Commission, as guardian of the merit system, entered into a Memorandum of Agreement with the Budget Commission and the Presidential Commission on Reorganization to effectively implement the provision of Presidential Decree No. 860 that "only the President may declare a position policy-determining, primarily confidential or highly technical, upon recommendation of the Civil Service Commission, the Budget Commission and the Presidential Commission on Reorganization." In this Memorandum of Agreement, a Technical Committee composed of a representative and an alternate representative of the Commissioner of the Budget, the Chairman of the Presidential Commission on Reorganization and the Chairman of the Civil Service Commission, with the Civil Service Commission representative as the Chairman thereof, has been created. The Committee is empowered to develop, formulate and prescribe, after approval by authorities concerned, criteria, standards and guidelines for determining whether positions are policy-determining, primarily confidential or highly technical, and vested with such other powers as may be necessary and as contained in the Memorandum of Agreement, to carry out its functions.

Henceforth, all requests for declaration of positions as policy-determining, primarily confidential or highly technical addressed to the President and requiring recommendation from the Chairman of the Civil Service Commission, Commissioner of the Budget and Chairman of the Presidential Commission on Reorganization, shall first be submitted to the Technical Committee, o/o Civil Service Commission, for processing and study.

All circulars, orders or memoranda in conflict herewith are hereby revoked or modified accordingly.

Strict compliance is hereby enjoined.

~~This Memorandum Circular shall take effect immediately.~~

(SGD.) JACOBO C. CLAVE
Acting Chairman

A true copy