

Republika ng Pilipinas  
(Republic of the Philippines)  
MINISTRI NG EDUKASYON, KULTURA AT ISPORTS  
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)  
Maynila

September 8, 1983

MECS O R D E R  
No. 40, s. 1983

GUIDELINES ON APPOINTMENT, REINSTATEMENT AND EXTENSION OF SERVICE  
PER CSC MEMORANDUM CIRCULAR NO. 5, S. 1983

To: Bureau Directors  
Regional Directors  
Cultural Agency Directors  
Chiefs of Services and Heads of Units  
Schools Superintendents  
Presidents, State Colleges and Universities  
Vocational School Superintendents/Administrators

1. Inclosed is a copy of Memorandum Circular No. 5, s. 1983 of the Civil Service Commission, which is self-explanatory.
2. Conformably thereto, recommendations for appointment of persons who are 57 years old and above, reinstatement in the service of persons who have been previously retired from the service, and extension of the services of persons who have reached the compulsory retirement age of 65 years should be made in accordance with the guidelines prescribed by the Civil Service Commission. Recommendations pertaining to presidential appointees, schools superintendents and assistant schools superintendents should be submitted to this Office.
3. It is desired that this matter be brought to the attention of all officials and employees concerned for their information and guidance.
4. Strict compliance is requested.

(SGD.) ONOFRE D. CORPUZ  
Minister

Incl.: as stated

References: BPS Circular: No. 9, s. 1968

Department Order: No. 40, s. 1976

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

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

APPOINTMENT, EMPLOYMENT, REAPPOINTMENT	OFFICIALS
BUREAUS & OFFICES	RETIREMENT
EMPLOYEES	RULES & REGULATIONS

(Inclosure to MECS Order No. 40, s. 1983)

Republika ng Pilipinas  
KOMISYON NG SERBISYO SIBIL  
(Civil Service Commission)  
Metro Manila

MEMORANDUM CIRCULAR NO. 5, s. 1983

TO : ALL HEADS OF MINISTRIES, BUREAUS, AND  
AGENCIES OF THE NATIONAL AND LOCAL  
GOVERNMENTS, INCLUDING GOVERNMENT-OWNED  
AND CONTROLLED CORPORATIONS

SUBJECT : Guidelines on Appointment of Persons Who Have  
Reached the Age of 57 Years, Reinstatement of  
Persons Who Have Been Previously Retired from  
the Service, and Retention in the Service of  
Persons Who Have Reached the Compulsory Retirement  
Age of 65 Years

Pursuant to Presidential Decree No. 830 dated November 27, 1975 as implemented by Letter of Implementation No. 47 dated August 18, 1976, the Civil Service Commission is empowered to grant authority to appoint persons who are 57 years old and above, to reinstate in the service persons who have been previously retired from the service, and to extend the services of persons who have reached the compulsory retirement age of 65 years, except Presidential appointees.

To insure effective and facilitative action on requests of such nature, the following guidelines are prescribed:

1. All requests shall be made by the appointing authority concerned and directly addressed to the respective Civil Service Regional Office. CSC Regional Offices have been given authority to act on such requests.
2. Requests for authority for such appointment, reinstatement or retention shall meet the following conditions as certified by the appointing authority:
  - a. the exigencies of the service so require;
  - b. the officer or employee concerned possesses special qualification not possessed by other officers or employees in the agency where he is to be appointed or retained; and
  - c. the vacancy cannot be filled by promotion of qualified officers or employees in the agency concerned, or by transfer of qualified officers or employees from other government agencies, or there are no eligibles in the appropriate register of the Commission available for certification to the vacancy.

3. No person shall be reinstated if he has been separated from the service through delinquency or misconduct on his part or if he has been separated under LOI No. 11, 14, 14-A, and 14-B unless he has been granted executive clemency by the President.
4. Each request must be accompanied by a medical certificate issued by a government physician certifying that the person is still physically and mentally healthy to be appointed in the service.
5. Officers or employees who have been recommended for appointment, reinstatement, or retention in the service shall not be allowed to assume or continue in office pending receipt of authority from the Civil Service Regional Office concerned.

Henceforth, all requests relating to the above matters should make reference to this Memorandum Circular.

This Memorandum Circular shall take effect immediately.

(SGD.) ALBINA MINALO-DANS  
Chairman

August 1, 1983

A true copy