

REVISING THE GUIDELINES ON THE GRANT AND PAYMENT OF EXPENSE ALLOWANCE FOR COMMITTEE MEMBERSHIP IN THE JUDICIARY

SC ADMINISTRATIVE CIRCULAR NO. 86-2019, August 29, 2019

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WHEREAS, resolutions, administrative circulars, office orders and other issuances have been issued by the Court or the Chief Justice authorizing the grant of expense allowance to Members of the Court, officials and employees of the Judiciary in the exercise of its fiscal autonomy;

WHEREAS, as clarified in *Bengzon vs. Drilon*,^[1] the fiscal autonomy of the Judiciary contemplates a guarantee of full flexibility to allocate and utilize its resources with the wisdom and dispatch that its needs require;

WHEREAS, 'in *Maritime Industry Authority (MARINA) vs. COA*,^[2] the Court, citing *Bengzon vs. Drilon*, held therein that "x x x 'real fiscal autonomy covers the grant to the Judiciary of the authority to use and dispose of its funds and properties at will, free from any outside control or interference.' This includes the judgment to use its funds to provide additional allowances and benefits to its officials and employees deemed to be necessary and relevant in the performance of their functions in the office;"

WHEREAS, under Special Provision No. 4, A. Supreme Court of the Philippines and the Lower Courts, XXX. The Judiciary, the General Appropriations Act for FY 2019 (Republic Act No. 11260), the Chief Justice as Head of the Judiciary and Chairperson of the Presidential Electoral Tribunal (PET) is authorized to fix and determine the salaries, allowances and other benefits of the personnel of the Judiciary and the PET;

WHEREAS, expense allowance is given to members of standing and ad hoc committees, subcommittees, technical working groups and other similar composite groups as a form of reimbursement for representation and other expenses incurred in the performance of committee-related work;

WHEREAS, Administrative Circular No. 26-2012 (A.C. No. 26- 2012), dated April 11, 2012, provides for the Guidelines on the Grant and Payment of Expense Allowance in the Judiciary;

WHEREAS, A.C. No. 26-2012 provides under Section D.I that u (t)he existing rates under Administrative Circular No. 13-99 and other issuances creating committees and authorizing payment of expense allowance therefor shall continue to apply for membership in standing and ad hoc committees, subcommittees, technical working groups or other similar composite groups in the judiciary unless modified or withdrawn.""

WHEREAS, Administrative Circular No. 13-99 (A.C. No. 13-99), dated September 30, 1999, fixes the rates of expense allowance of members of standing and ad hoc committees;

WHEREAS, there is a need to revise the rates of expense allowance for membership in standing and ad hoc committees, subcommittees, technical working groups and other similar composite groups as provided under A.C. No. 13-99, which were fixed almost twenty (20) years ago and are, therefore, no longer realistic considering the high cost of living which has been increasing constantly for the past two (2) decades;

NOW, THEREFORE, the grant and payment of expense allowance for membership in. standing and ad hoc

committees, subcommittees, technical working groups and other similar composite groups shall be subject to the following guidelines:

I. Rates of Expense Allowance

A. Standing Committees

1) Chairperson:

a) who is an incumbent Member of the Court

- P20,000.00 per month

b) who is not an incumbent Member of the Court

- P10,000.00 per month

2) Vice-Chairperson:

a) who is an incumbent Member of the Court

- P15,000.00 per month

b) who is not an incumbent Member of the Court

- P7,500.00 per month

3) Member:

a) who is an incumbent Member of the Court

- P 2,500.00 per meeting

b) who is not an incumbent Member of the Court

- P 2,000.00 per meeting

c) who is the duly designated permanent representative of a member

- P 2,000.00 per meeting

d) who is the duly authorized representative of an absent member at a meeting

- P 1,000.00 per meeting

4) Consultant (who is a retired Member of the Supreme Court, Court of Appeals, Sandiganbayan or Court of Tax Appeals)

- P20,000.00 per month

5) Resource Person:

- a) who is an incumbent official or employee of the Court
 - P 1,000.00 per meeting
- b) who is not an incumbent official or employee of the Court
 - P 4,000.00 per meeting
- 6) Secretariat

- a) Secretary - P 1,000.00 per meeting
- b) Assistant Secretary - P 750.00 per meeting
- c) Support/services staff - P 400.00 per meeting

If a Member of the Court, who is Chairperson or Vice-Chairperson of a committee, is also a Chairperson or Vice-Chairperson of another committee, he/she shall be entitled to receive the full amount of the expense allowance as Chairperson or Vice-Chairperson of one committee only and fifty percent (50%) of the expense allowance as Chairperson or Vice-Chairperson of the other committee/s.

In no case shall the expense allowance for standing committees or sub-committees exceed the equivalent of the expense allowance for four (4) meetings in a month.

B. Ad Hoc Committees

1) Chairperson:

- a) who is an incumbent Member of the Court
 - P5,000.00 per meeting
- b) who is not an incumbent Member of the Court
 - P2,500.00 per meeting

2) Vice-Chairperson:

- a) who is an incumbent Member of the Court
 - P3,000.00 per meeting
- b) who is not an incumbent Member of the Court
 - P 2,000.00 per meeting

3) Member:

- a) who is an incumbent Member of the Court

- P 2,500.00 per meeting

b) who is not an incumbent Member of the Court

- P 2,000.00 per meeting

c) who is the duly designated permanent representative of a member

- P 2,000.00 per meeting

d) who is the duly authorized representative of an absent member at a meeting

- P 1,000.00 per meeting

4) Consultant (who is a retired Member of the Supreme Court, Court of Appeals, Sandiganbayan or Court of Tax Appeals

- P4,000.00 per meeting

5) Resource Person:

a) who is an incumbent official or employee of the Court

- P 1,000.00 per meeting

b) who is not an incumbent official or employee of the Court.

- P 4,000.00 per meeting

6) Secretariat

a) Secretary - P 1,000.00 per meeting

b)

Assistant Secretary - P 750.00 per meeting

c) Support staff - P 400.00 per meeting

In no case shall the expense allowance for Ad Hoc committees or sub-committees exceed the equivalent of the expense allowance for four (4) meetings in a month.

C. Committees Receiving Monthly Expense Allowance

Members of standing committees, whose functions are continuous in nature and are essential to the regular operations of the Court as may be determined by the Chief Justice, may be authorized to receive a monthly expense allowance in lieu of an expense allowance per meeting at the following rates:

1) Chairperson - P12,000.00 per month

2) Vice-Chairperson - P10,000.00 per month

3) Member - P 8,000.00 per month

4) Secretariat

- a) Secretary - P 6,000.00 per month
- b) Assistant Secretary - P 4,000.00 per month
- c) Support/services staff - P 2,500.00 per month

A duly authorized representative of a member, who attends a meeting on behalf of such member, shall be entitled to receive an expense allowance at the rate of P1,000.00 for such attendance.

Members of committees who are currently receiving a monthly expense allowance shall continue to receive their expense allowance on a monthly basis to be adjusted at the rates provided herein.

II. Transportation and Travel Allowances

A. Members of standing and ad hoc committees, subcommittees, technical working groups and other similar composite groups, who are not incumbent officials or employees of the Court and whose workplace is beyond the fifty (50) kilometer radius as defined under Section 5, Executive Order No. 298, dated March 23, 2004 shall be authorized to receive travel allowances in accordance with the rates provided under Administrative Circular No. 51-2010, dated May 7, 2010.

B. If the workplace is within the fifty (50) kilometer radius, the rates of transportation allowances as provided under Administrative Circular No. 15-2005, dated March 22, 2005, shall apply.

C. The travel/transportation allowances authorized herein shall be in addition to the expense allowance such member may be entitled to as per above rates.

III. Limitations

The expense allowance authorized herein shall be subject to the same limitations as to the maximum allowable amount that may be received annually provided under Item E of Administrative Circular No. 26-2012, as follows:

- 1) The total expense allowance that may be received for a year by an official or employee for chairmanship and/or membership in standing committees of the Supreme Court per attached list marked as Annex "A," whether the expense allowance is received on a monthly basis or per meeting, shall not exceed 25% of the annual basic salary;
- 2) The total expense allowance that may be received for a year by an official or employee for chairmanship and/or membership in ad hoc committees of the Supreme Court per attached list marked as Annex "B" shall not exceed 25% of the annual basic salary; and,
- 3) The total expense allowance that may be received for a year by an official or employee of the Court of Appeals, the Sandiganbayan or the Court of Tax Appeals for chairmanship and/or membership in standing or ad hoc committees of the said Courts shall not exceed 25% of the annual basic salary.

IV. Funding Source

Funding for the expense allowance authorized herein shall be sourced from savings deposited in the respective Local Bank Account of the Court to which the committee, subcommittee, technical working group or other similar composite group belongs.

For Bids and Awards Committees, funding for the expense allowance shall be sourced from collections from the sale of bid documents and, in case of deficiency, from savings deposited in the respective Local Bank Account of the Court as provided above.

Administrative circulars, memorandum orders, office orders and other issuances or any part thereof which are

inconsistent with this administrative circular are hereby revoked or modified accordingly.

This Administrative Circular shall take effect immediately. Committees, subcommittees, technical working groups and other similar composite groups which may be created hereafter shall likewise be covered by this administrative circular.

Issued this 29th day of August 2019.

(SGD.) LUCAS P. BERSAMIN
Chief Justice

[1] G.R. No. 103524, April 15, 1992

[2] G.R.No. 185812, January 13, 2015

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