

LETTER OF IMPLEMENTATION NO. 65, April 11, 1978

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WHEREAS, Presidential Decree No. 1275 was issued with the end in view of improving the quality of prosecution services through the re-structuring of the entire prosecution system, the regionalization of the service, and the rationalization of salaries of all State Prosecutors, Provincial Fiscals and City Fiscals and their Assistants; and

WHEREAS, there is a need to implement such Decree as soon as possible consistent with a smooth transition from the old set-up to the New national Prosecution Service;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order and direct the following:

- The implementation of the salary rates provided in P.D. No. 1275 shall be by stages or phases in view of the large amount required to implement fully the salary rates; pending the implementation of the full salary rates, the following salary scale shall apply to the State Prosecutors, Provincial Fiscals, City Fiscals and their Assistants:

Step / Grade 1 2 3 4 5 6 7

Special

40,000 per annum

Special

38,800 per annum

X

30,240 31,740 33,240 34,740 36,240 37,600

IX

27,720 29,220 30,720 32,220 33,720 35,220 36,400

VIII

26,520 28,020 29,520 31,020 32,520 34,020 35,200

VII

25,320 36,820 28,320 29,820 31,320 32,820 34,000

VI

24,120 25,620 27,120 28,620 30,120 31,620 32,800

V

22,920 24,420 25,920 27,420 28,920 30,420 31,600

IV

21,720 23,220 24,720 26,220 27,720 29,220 30,400

III

20,520 22,020 23,520 25,020 26,520 28,020 29,200

II

19,320 20,820 22,320 23,820 25,320 26,820 28,000

I

18,120 19,620 21,120 22,620 24,120 25,620 26,800

- The Secretary of Justice shall coordinate with the Commissioner of the Budget in developing standards and criteria for classifying positions of State Prosecutors and Fiscals and fixing their salaries using as basis the functions, duties, responsibilities and qualifications requirements of positions; that pending the adoption of such a system the following classes may be used in classifying positions of State Prosecutors in the National Prosecution Service:

State Prosecutor I Grade I

State Prosecutor II Grade II

State Prosecutor III Grade III

State Prosecutor IV Grade IV

State Prosecutor V Grade V

State Prosecutor VI Grade VI

State Prosecutor VII Grade VII

State Prosecutor VIII Grade VIII

Senior State Prosecutor I Grade IX

Senior State Prosecutor II Grade X

Assistant Regional State Prosecutor Grade X

Regional State Prosecutor Grade XI

Assistant Chief State Prosecutor Grade XI

Chief State Prosecutor Special Grade

- Pending the adoption of that new system mentioned in Paragraph 2 herein of classifying and compensating Fiscals on the basis of functions, duties, responsibilities and qualifications required, their salaries shall be fixed in accordance with the class of the city or province of assignment. The following classes and grades shall be used in the initial implementation of the Decree:

First Class A Province and Cities Except Manila,
Pasay City, Quezon City and Caloocan City

Provincial/City Fiscal Grade X

First Assistant Grade IX

Second Assistant Grade VIII

Third Assistant Grade VII

Fourth Assistant Grade VI

Other Assistant Grade V

First Class B Provinces and Cities

Provincial/City Fiscal Grade IX

First Assistant Grade VIII

Second Assistant Grade VII

Third Assistant Grade VI

Fourth Assistant Grade V

Other Assistant Grade IV

First Class C Provinces and Cities

Provincial/City Fiscal Grade VIII

First Assistant Grade VII

Second Assistant Grade VI

Third Assistant Grade V

Fourth Assistant

Second Class Provinces and Cities

Provincial/City Fiscal Grade VII

First Assistant Grade VI

Second Assistant Grade V

Third Assistant Grade IV

Third Class Provinces and Cities

Provincial/City Fiscal Grade VI

First Assistant Grade V

Second Assistant Grade IV

Third Assistant Grade III

Fourth Class Provinces and Cities

Provincial/City Fiscal Grade V

First Assistant Grade IV

Second Assistant Grade III

Fifth Class Provinces and Cities

Provincial/City Fiscal Grade IV

First Assistant Grade III

For the Cities of Manila, Quezon City, Pasay City and Caloocan City

City Fiscal Special Grade P38,800

First Assistant Grade X

Second Assistant Grade IX

Third Assistant Grade VIII

Fourth Assistant Grade VII

Other Assistants Grade VI

- Within a reasonable time from the issuance of this Letter of Implementation, the Secretary of Justice shall prepare a Staffing Pattern for the New National Prosecution Service and submit the same to the Office of the President through the Budget Commission taking into consideration the personnel and the positions required by the Service; that upon approval of that Staffing Pattern all positions currently existing in the Prosecution Service of the Department of Justice, and all positions of Provincial Fiscal, City Fiscal, their assistants whose appointments are vested in the President shall be considered abolished and all present incumbents separated from the service unless re-appointed by the President in accordance with existing appointment procedures for State Prosecutors and Fiscals.
- In the initial implementation of the Decree, all appointments shall be placed at the minimum of the salary grade.
- It shall be understood that Staff Members and employees of the Department of Justice and the Office of the Solicitor General are employees and staff members of the Executive Branch, Hence, they shall be covered by salary rules and regulations of the Executive Branch. When Judicial ranks are used by reference to give prestige to a position in the National Prosecution Service or the Department of Justice, such rank should not be used as basis for applying salary rates or emoluments applicable to positions in the Judicial Branch.
- Other Prosecution Attorneys whose appointment is lodged in the Secretary of Justice as well as administrative, supportive personnel and other positions not covered by this Letter of Implementation shall be covered by National Classification and Pay Plans under Presidential Decree No. 985. Pending the classification by the OCPC, Prosecution Attorneys may be paid at the rate of P15,000 per annum.
- All officers and employees who may be separated or removed from the service by reason of the reorganization authorized herein shall be granted a gratuity at a rate equivalent to one month's salary for every year of continuous satisfactory service rendered, or the equivalent nearest fraction thereof favorable to them on the basis of the highest salary received: PROVIDED, That any such officer or employee already entitled to gratuity or pension under existing law shall have the option to select between said gratuity or pension and the gratuity provided for in this Decree.
- A staffing pattern shall be developed jointly by the Secretary of Justice and the Commissioner of the Budget to implement the new organization, provided that no new positions are created thereby.
- The Secretary of Justice shall prepare a plan for smooth transition towards the new Prosecution service, to ensure continuity in the handling of pending cases despite this reorganization.

Salary adjustments shall be made effective no earlier than April 1, 1978.

Done in the City of Manila, this 11th day of April, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant

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