

AN ACT TO AMEND CERTAIN SECTIONS OF RE PUBLIC ACT NUMBERED SEVEN HUNDRED AND EIGHT, OTHERWISE KNOWN AS “THE FOREIGN SERVICE ACT OF THE PHILIPPINES” CONCERNING SALARIES, ALLOWANC...

REPUBLIC ACT NO. 4112, June 20, 1964

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Part C, Title II, of Republic Act Numbered Seven hundred and eight is hereby amended to read as follows:

PART C.—Salaries

"SECTION 1. Chiefs of Mission.—The President shall, on the basis of the importance of the post and for salary purposes, classify into three classes the positions which are to be occupied by chiefs of mission. The basic salaries of chiefs of mission per annum shall be as follows:

Class I

P18,000.00

Class II

17,000.00

Class III

16,000.00

"SEC. 2. Foreign Affairs Officers.—There shall be four classes of Foreign Affairs Officers, excluding the class of career minister. The basic salary of a career minister per annum shall be fourteen thousand pesos. The basic salaries of Foreign Affairs Officers per annum within each of the other classes shall be as follows:

Class I

P11,400.00

P11,700.00

P12,000.00

Class II.....

10,200.00

10,500.00

10,800.00

Class III.....

9,000.00

9,300.00

9,600.00

Class IV.....

7,800.00

8,100.00

8,400.00

"SEC. 3. Salaries at which Foreign Affairs Officers may be appointed:

- A person appointed as a Foreign Affairs Officers of Class IV shall receive a salary at that one of the rates provided for that class by the preceding section which the Secretary shall, taking into consideration his age, Qualifications and experience, determine to be appropriate.

- A person appointed as a Foreign Affairs Officer of Class I, II or III shall receive salary at the minimum rate provided for the class to which he had been appointed.

"SEC. 4. Foreign Service Staff Officers and employees.— There shall be six classes of Foreign Service staff officers and employees. The basic salaries of staff officers and employees per annum shall be as follows:

Class I

P6,900.00

P7,200.00

P7,500.00

Class II

6,000.00

6,300.00

6,600.00

Class III

5,100.00

5,400.00

5,700.00

Class IV.....

4,200.00

4,500.00

4,800.00

Class V.....

3,300.00

3,600.00

3,900.00

Class VI

2,400.00

2,700.00

3,000.00

"SEC. 5. Salaries at which Foreign Service Staff Officers and employees may be appointed.—A person appointed as a staff officer or employee in Classes I through V, inclusive, shall receive salary at the minimum rate provided for the class to which he is appointed except as otherwise provided in this Act.

"SEC. 6. Salaries of alien clerks and employees.—The salary or compensation of an alien clerk or employee shall be fixed by the Secretary in accordance with such regulations as he shall prescribe pursuant to the provisions of this Act, within the limits of the Appropriation Act, giving due weight to the rank and duties of the clerk or employee and the prevailing rates of salary at the post.

"SEC. 7. Administrative establishment of salary differentials.—Whenever the Secretary shall find and declare that officers and employees in this Act are inadequate for any positions allocated to any particular class, he may, under such regulations as he may prescribe with the approval of the President, establish necessary schedules of differentials in the rates of salary prescribed for such class but the differentials in salary of a person holding any such position shall not exceed fifty per centum of the salary he would otherwise receive. Such differentials shall be granted only with respect to positions at posts at which extraordinarily difficult living conditions or excess physical hardships prevail or at which notably unhealthful conditions exist. The Secretary shall prepare and maintain a list of such posts."

SEC. 2. Part D, Title II, of the same Act is hereby amended to read as follows:

"PART D.—Compensation of Officers Temporarily in Charge

"SECTION 1. As charge d'affaires ad interim.—During the period that any Foreign Affairs Officer acts as charge d'affaires ad interim at the post to which he is assigned he shall receive, subject to such rules and regulations as the Secretary may prescribe, the equivalent of the representation and other allowances of the chief of mission, except the living quarters allowance.

"SEC. 2. As Officer in charge of consular establishment. — During the time that any Foreign Affairs Officer is temporarily in charge of a consular establishment because of the absence or incapacity of the principal officer, he shall receive, subject to such rules and regulations as the Secretary may prescribe, the equivalent of the representation and other allowances of the principal officer, except the living quarters allowance."

SEC. 3. Subsection (b), Section four, Part B, Title III, of the same Act is amended to read as follows:

"(b) Career Ministers may serve as Minister-Counselor or Consul General or both; Foreign Affairs Officers Class I, as First Secretary or Consul General or I of class II, as Second Secretary or Consul or of Class III and IV, as Third Secretary or Vice Con; or both. When serving in the Department, they may be assigned to positions of comparable importance."

SEC. 4. Section one, Part A, Title VI, of the same Act is amended to read as follows:

"SECTION 1. Living quarters allowances.— (a) The Secretary is authorized, in accordance with such

regulations as he may prescribe with the approval of the President, to grant commutable living quarters allowances to any officer or employee assigned abroad, who is a citizen of the Philippines. Such allowances may be revised as to amounts not oftener than once a year by the Secretary with the approval of the President.

"(b) Living quarters allowances exclusively intended to enable personnel to meet rentals of suitable quarters, including utilities and maintenance thereof, and thus live in a manner befitting their representative capacities, shall be granted at a per annum rate and shall be computed and paid monthly beginning with the first day of the month, following the arrival of the payee at his post of assignment: Provided however, That the suitability of the said quarters in each post shall be officially certified by the Chief of Mission or principal officer: And Provided, further, That the equivalent of said allowances corresponding to the first three months following arrival at post shall be paid immediately upon its accrual. On transfer from post, allowances shall cease on the first day of the month, following departure therefrom.

"(c) Where furnished government-owned or government-leased quarters are available, no living quarters allowances shall be paid to persons occupying such quarters : Provided, however, That the cost of utilities, maintenance and minor alterations and repair, including costs of furniture, fixtures and household equipment and appliances shall be payable out of appropriations for living quarters allowances.

"(d) No person may receive allowances for more than one residence which must be within daily commuting distance of his post. Allowances shall continue when the payee is detailed by the Secretary to duty outside his post or a period not to exceed six months, beginning with the first day of the month, following departure.

"(e) Under such regulations as the Secretary may prescribe, any officer or employee who is reassigned to the home office after having served abroad for a period of not less than four years, shall continue to receive fifty per centum of the corresponding living quarters allowance in addition to his basic salary, during the first year of duty in the home office following his return."

SEC. 5. Section five, Part A, Title VI, of the same Act is amended to read as follows:

"SEC. 5. Clothing allowances.—The Secretary shall grant clothing allowances to officers and employees assigned abroad once every two years in the amounts of one thousand pesos for chiefs of mission, career ministers, and principal officers; eight hundred pesos for other Foreign Affairs Officers; and five hundred pesos for Foreign Service staff officers and employees."

SEC. 6. Section two, Part B, Title VI, of the same Act is amended to read as follows:

"SEC. 2. Service allowances in lieu of per diems.—When meals are included in the fare on any carrier, no per diems shall be allowed but service allowances equal to fifty per centum of the per diems authorized shall be payable to the traveler."

SEC. 7. Section six, Part D, Title VI, of the same Act is amended to read as follows:

"SEC. 6. Exemption from taxation.— (a) All allowances, per diems, benefits, and the like received by officers and employees of the service in consideration of their service, except: their basic salaries, shall be exempt from the Philippine income tax.

" (b) Any officer or employee returning from a regular assignment abroad for reassignment to the home office or who dies, resign or is retired from the service shall be exempt from the payment of all duties and taxes on his personal and household effects, including one motor car duly registered in his name: Provided, however, That this exemption shall apply only to the value of the motor and to the aggregate assessed value of said personal 2 household effects, the latter not to exceed fifty per centum of the total amount received by such officer or employee in salary and allowances during his latest assignment abroad but not to exceed four years: And provided, further, That this exemption shall not be availed of oftener than once every four years."

SEC. 8. Section one, Title VII, of the same Act is amended to read as follows:

"SEC. 1. Implementation.—In order to implement the provisions of this Act, the Secretary shall effect the

reorganization of the Department and the Foreign Service in accordance with the provisions of this Act and for this purpose he is authorized to reallocate the funds provided for the Department in the General Appropriations Act for the fiscal year nineteen hundred sixty-four nineteen hundred sixty-five; Provided, however, That any officer receiving the salary and allowances of a particular class of Foreign Affairs Officer at the time of the approval of this Act shall continue to receive the salary and allowances corresponding to the same class under the provisions of this Act. In addition, the sum of two million five hundred thirty-two thousand sixty pesos is hereby appropriated out of any unappropriated funds of the National Treasury to carry out the provisions of this Act, as amended."

SEC. 9. All Acts, Executive Orders, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed or amended accordingly.

SEC. 10. This Act shall take effect upon its approval.

Approved, June 20, 1964.

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