

## AN ACT TO REORGANIZE AND STRENGTHEN THE FOREIGN SERVICE OF THE PHILIPPINES.

*REPUBLIC ACT NO. 708, June 05, 1952*

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

### TITLE 1.—General Provisions

SECTION 1. Title of Act.—This Act shall be known as the "Foreign Service Act of the Philippines."

SEC. 2. Objectives.—The Congress hereby declares that the objectives of this Act are to reorganize and strengthen the Foreign Service of the Philippines so as:

- To enable the Foreign Service effectively to serve abroad the interests of the Republic of the Philippines;
- To insure that the officers and employees of the Foreign Service are broadly representative of the Filipino people and are aware of and fully informed in respect of current trends in Philippine life;
- To provide improvements in the selection and training of personnel to insure that only competent persons of good moral character are recruited into the service;
- To provide that promotions in the service shall be on the basis of merit;
- To provide guarantees that career personnel of the service shall be permanent and secure in their positions during good behavior and satisfactory performance of duty;
- To provide salaries, allowances, and benefits that will permit the service to draw its personnel from all walks of Philippine life and to appoint persons to the highest positions in the service solely on the basis of their demonstrated ability;
- To provide a flexible and comprehensive framework for the direction of the Foreign Service in accordance with modern practices in public administration; and
- To codify into one Act all provisions of law relating to the administration of the Foreign Service.

SEC. 3. Definitions.—When used in this Act, the term—

- "Government" means the Government of the Philippines.
- "President" means the President of the Philippines.
- "Department" means the Department of Foreign Affairs of the Philippines.
- "Secretary" means the Secretary of Foreign Affairs of the Philippines.
- "Service" means the Foreign Service of the Philippines.
- "Government agency" means any executive department, bureau, board,

commission, or other agency in the executive branch of the Philippine Government, or any corporation owned or controlled by the Government of the Philippines.

- "Abroad" means all areas outside the territory of the Philippines.

- "Principal officer" means the officer in charge of an embassy, legation, or other diplomatic mission, or of a consulate general, consulate, or vice consulate of the Philippines.

- "Chief of mission" means a principal officer appointed by the President of the Philippines, with the consent of the Commission on Appointments, to be in charge of an embassy or legation or other diplomatic mission of the Philippines, or any other person assigned under the terms of this Act to be minister resident, charge d' affaires, commissioner, or diplomatic agent.

## TITLE II.—The Foreign Service

### PART A.—FUNCTIONS AND DUTIES

SECTION 1. Duties.—Officers and employees of the Foreign Service shall, under the direction of the Secretary, represent abroad the interests of the Philippines and shall perform the duties and comply with the obligations resulting from the nature of their appointments or assignments or those imposed on them by law or by any order or regulation issued pursuant to law or by any international agreement to which the Republic of the Philippines is a party.

SEC. 2. Services for Government agencies.—The officers and employees of the Foreign Service shall, under such regulations as the President may prescribe, perform duties and functions in behalf of any Government agency or any other establishment of the Government requiring their services, including those in the legislative and judicial branches, but the absence of such regulations shall not preclude officers and employees of the service from acting for and on behalf of any such Government agency or establishment whenever it shall, through the Department, request their services.

### PART B.—CATEGORIES OF PERSONNEL

SECTION 1. Classification.—The personnel of the service shall consist of the following categories of officers and employees:

- Chiefs of mission who shall be appointed or assigned in accordance with the provisions of this Act;
- Foreign Affairs Officers who shall be appointed in accordance with the provisions of this Act;
- Foreign Service staff officers and employees who shall include all personnel who are citizens of the Philippines, not comprehended under paragraphs (a), (b) and (e) of this section, and who shall occupy positions with technical, administrative, fiscal, clerical, or custodial responsibilities ;
- Alien clerks and employees who shall be appointed in accordance with the provisions of this Act and the regulations that may be issued thereunder; and
- Consular agents and honorary consuls.

### PART C.—SALARIES

SECTION 1. Chiefs of Mission.—The President shall, 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

**P12,000.00**

Class II

11,000.00

Class III

10,000.00

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 eight thousand four hundred pesos. The basic salaries of Foreign Affairs Officers per annum within each of the other classes shall be as follows:

Class I

**P7,500.00**

Class II

6,600.00

**P6,900.00**

**P7,200.00**

Class III

5,400.00

5,700.00

6,000.00

Class IV

4,500.00

4,800.00

5,100.00

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

- A person appointed as a Foreign Affairs Officer 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 II and III, inclusive, shall receive salary at the minimum rate provided for the class to which he has been appointed.

SEC. 4. Staff officers and employees.—There shall be six classes of Foreign Service staff officers and employees, referred to hereafter as staff officers and employees. The basic salaries of staff officers and employees per annum

shall be as follows:

Class I

**P4,500.00**

**P4,800.00**

**P5,100.00**

Class II

3,720.00

3,960.00

4,200.00

Class III

3,120.00

3,300.00

3,480.00

Class IV

2,580.00

2,760.00

2,940.00

Class V

1,800.00

1,920.00

2,040.00

Class VI

1,440.00

1,560.00

1,680.00

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 "is 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 the rates of salary provided for Foreign Service staff 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 differential in salary of a person holding any such position shall not exceed twenty-five 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 excessive physical hardship prevail or at which notably unhealthful conditions exist. The Secretary shall prepare and maintain a list of such posts.

#### **PART D.—COMPENSATION OF OFFICERS TEMPORARY IN CHARGE**

SECTION 1. As Charge d' Affaires ad interim.—During the period that any Foreign Affairs Officers 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 but need not be given any increase in basic salary.

SEC. 2. As Officer in charge of consulate general or consulate.—During the time that any Foreign Affairs Officer is temporarily in charge of. a consulate general or consulate 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 to which the principal officer would be entitled were he at his post.

#### **PART E.—CLASSIFICATION**

SECTION 1. Classification of positions in the Foreign Service.—Under such regulations as he may prescribe, the Secretary shall classify all positions in the service, including those positions at foreign posts which may be held by career ministers, and shall allocate all positions occupied or to be occupied by staff officers and employees to classes and grades established by this Act, and by alien employees to such classes and grades as may be established by regulation: Provided, That in case the present incumbent receives a salary more than the amount fixed in this Act, there shall be no diminution in the compensation of such incumbent by providing excess of salary for him while he remains in the same position.

TITLE III.—Appointments and Assignments.

#### **PART A.—PRINCIPAL DIPLOMATIC REPRESENTATIVES**

SECTION 1. Appointments.—

- The President shall, with the consent of the Commission on Appointments, appoint ambassadors, other public ministers, and consuls.
- The President may, in his discretion, assign any Foreign Affairs Officer to serve as minister resident, charge d' affaires, commissioner, or diplomatic agent for such period as the public interest may require.

SEC. 2. List of Foreign Affairs Officers qualified to be career minister or chief of mission to be furnished to the President.—

- The Secretary shall, on the basis of recommendations made by the Board of the Foreign Service, from time to time furnish the President with the names of Foreign Affairs Officers qualified for appointment to the class of career minister, together with pertinent information about such officers, but no person shall be appointed to the class of career minister who has not been appointed to serve as a chief of mission or assigned to serve in a

position which, in the opinion of the Secretary, is of comparable importance.

- The Secretary shall also, on the basis of recommendations made by the Board of the Foreign Service, from time to time furnish the President with the names of Foreign Affairs Officers qualified for appointment or assignment as chief of mission, together with pertinent information about such officers, in order to assist the President in selecting qualified candidates for appointment or assignment in such capacity.

SEC. 3. Officer does not lose career status.—Notwithstanding the provisions of the foregoing section, any Foreign Affairs Officer appointed to the position of career Minister or chief of mission shall not lose his career status and may not be separated from the service except under and for any of the causes provided in this Act.

## **PART B.—FOREIGN AFFAIRES OFFICERS**

### **SECTION 1. Career Service Corps.—**

- There shall be a career service corps for the Department and the Foreign Service to be composed of Foreign Affairs Officers appointed by the President upon the recommendation of the Secretary and with the consent of the Commission on Appointments.

- No person may be a Foreign Affairs Officer unless he is a Filipino citizen and is at least twenty-five years old at the time of his appointment.

- No person shall be eligible for appointment as a Foreign Affairs Officer unless he has passed such competitive examinations as the Board of Foreign Service Examiners may prescribe to determine his fitness and aptitude for the work of the service and has demonstrated his loyalty to the Government of the Republic of the Philippines and his attachment to the principles of the Constitution: Provided, however, That any person who has satisfactorily completed the Foreign Affairs Training Program in the United States Department of State or who has rendered continuous satisfactory service in a position of responsibility in the Department or in the Foreign Service or both for at least five years on the date of the approval of this Act may be exempted from both the written and oral examinations prescribed in this Act: Provided, further, That any person who has satisfactorily completed the training in the Institute of Foreign Affairs of the Department and has served continuously for at least one year in an advisory capacity or as secretary to a Philippine delegation or mission abroad may be certified by the Board as eligible for appointment as Foreign Affairs Officer after qualifying in an appropriate oral examination held for the purpose.

### **SEC. 2. Board of Foreign Service Examiners.—**

- There shall be a Board of Foreign Service Examiners composed of a Counselor of the Department, as chairman, the Chief Examiner of the Bureau of Civil Service, and a representative of the Department of Education to be designated by the Secretary thereof, as members.

- The Board shall receive applications for the Foreign Affairs examinations and nominate candidates between the ages of twenty-three and thirty, inclusive, who are physically fit and who in their opinion may, by reason of academic training or practical experience, or both, be qualified to take the examinations. Foreign Affairs examinations shall be open only to Filipino citizens. No person married to an alien may take these examinations without the written consent of the Secretary of Foreign Affairs.

- The Board shall prescribe by regulation the academic training and practical experience required of candidates and determine the subjects on which the written and oral examinations shall be held. The Board shall prepare, conduct, and grade the written examinations and certify to the Secretary for oral examinations those candidates who have obtained a general average of seventy-five per cent or higher. It may, however, request the Bureau of

Civil Service to hold and conduct the written examinations in its behalf if the number of candidates justifies the cooperation of said Bureau. In the preparation of questions and the grading of examination papers on any subject, the Board may request, through the Secretary of the Department concerned, the assistance of any competent officer in the government service.

- Subject to the general supervision of the Undersecretary, the Board shall prepare, conduct, and grade the oral examinations on the basis of personality, general knowledge, and aptitude for foreign service work. Any candidate who has received a mark of not less than seventy-five per cent in both the written and oral examinations and a composite grade of not less than eighty per cent shall be certified to the Secretary as eligible for appointment as Foreign Affairs Officer. The Secretary shall furnish the names of the eligible candidates so certified to the President.

- The Secretary shall assign to the Board such employees as may be necessary to enable it to perform its duties efficiently.

SEC. 3. Appointments.—The President shall appoint Foreign Affairs Officers exclusively from those certified by the Secretary of Foreign Affairs as eligible for appointment as Foreign Affairs Officers in accordance with the provisions of this Act. All appointments of Foreign Affairs Officers shall be to a class and not to a particular post.

SEC. 4. Commission.—

- Foreign Affairs Officers may be commissioned as diplomatic or consular officers, or both, and all the official acts of such officers while serving under diplomatic or consular commissions shall be performed under their respective commissions as diplomatic or consular officers.

- Foreign Affairs Officers of Class I shall serve as Counselor or as First Secretary or Consul General or both; of Class II, as Second Secretary or Consul or both; of Classes III and IV, as Third Secretary or Vice Consul or both. When serving in the Department, they shall be assigned to positions of comparable importance.

SEC. 5. Limitations of consular districts.—The Secretary shall define the territorial limits of consular districts.

SEC. 6. Assignments and transfers.—A Foreign Affairs Officer may be assigned by the Secretary to serve in the Department or in a diplomatic or consular post abroad: Provided, however, That the minimum period during which he may serve in any foreign post shall be one year and the maximum period four years, except in case of emergency or extraordinary circumstances, in which event he may be transferred from one foreign post to another or to the Department by order of the Secretary without regard to his length of service in his former post. No Foreign Affairs Officer shall serve more than four consecutive years in the Department at any one time, except when he is appointed Undersecretary. Any Foreign Affairs Officer assigned in the Department under this section will, for purposes of the civil service law and regulations, be considered as a first grade civil service eligible.

SEC. 7. Conversion of positions.—To permit rotation of career personnel between the Home Office and the Foreign Service, as contemplated in this Act, the positions of Counselors and chiefs of division are hereby converted into positions of Foreign Affairs Officer, Class I and Class II, respectively, occupying the rate in each class which the Secretary deems appropriate. The Secretary shall, by emulation, determine the manner and frequency in which Counselors and chiefs of division shall be exchanged with Foreign Affairs Officers in the field, subject to the limitations of this Act.

SEC. 8. Reinstatement of Foreign Affairs Officers.—The president may, upon recommendation of the Secretary, reappoint to the service a former Foreign Affairs Officer who has been separated from the service by reason of

appointment or election to some other position in the Government service and who has served continuously or for at least two years in the Government up to the time of reinstatement. The Secretary shall, taking into consideration the qualifications and experience of each candidate for reappointment and the rank of his contemporaries in the service, recommend the class to which he shall appropriately be reappointed.

### **PART C.—FOREIGN SERVICES STAFF OFFICERS AND EMPLOYEES**

SECTION 1. Appointments.—The Secretary shall appoint all Foreign Service staff officers and employees.

SEC. 2. Civil service eligibility.—No person may be appointed Foreign Service staff officer or employee unless he is a civil service eligible. The Auditor General shall not pass in audit the payment of the salary of any person appointed as Foreign Service staff officer or employee without the previous certification of the Bureau of Civil Service that such appointee is an appropriate civil service eligible.

SEC. 3. Assignments and transfers.—The assignment of a staff officer or employee to a position at any post and/or his transfer from one post to another or to the Department of Foreign Affairs may be made only by the Secretary.

No Foreign Service staff officer or employee shall be entitled to return transportation to the Philippines at government expense who has not rendered at least two years of faithful, continuous, and satisfactory service at his foreign post, except when specifically authorized by the Secretary, upon his transfer to the Home Office or when ordered to report thereto for consultation.

SEC. 4. Citizenship requirement.—No person shall be eligible for appointment as a staff officer or employee who is not a citizen of the Philippines at the time of his appointment.

### **PART D.—ALIEN CLERKS AND EMPLOYEES**

SECTION 1. Appointments.—The Secretary may appoint alien clerks and employees at posts abroad upon recommendation of the chief of mission or principal officer concerned.

SEC. 2. Assignments and transfers.—Alien clerks and employees may not be transferred to another country but may, with the approval of the Secretary, be transferred from one post to another within the same country where originally appointed.

### **PART E.—CONSULAR AGENTS AND HONORARY CONSULS**

SECTION 1. Appointments.—The Secretary may appoint consular agents and honorary consuls under such regulations as he may prescribe with the approval of the President.

### **PART F.—ATTACHÉS**

SECTION 1. Civil attachés.—Under such regulations as the Secretary of Foreign Affairs may prescribe with the approval of the President, agricultural, commercial, financial, cultural, labor and other civil attachés may be designated to serve in diplomatic missions or consular offices abroad. When serving abroad, such attachés shall receive their basic salaries and other emoluments from their respective Departments, which shall also defray the cost of their transportation and that of their immediate families, should any accompany them to their post.

SEC. 2. Military, naval, and air attachés.—Under such regulations as the Secretary of Foreign Affairs and the Secretary of National Defense may jointly prescribe with the approval of the President, military, naval, and air attachés may be designated to serve in diplomatic missions abroad. When serving abroad, such attachés shall receive their basic salaries and other emoluments from their respective Departments, which shall also defray, the

cost of their transportation and that of their immediate families, should any accompany them to their post.

#### TITLE IV.—Personnel Administration

### PART A.—PROMOTIONS

#### SECTION 1. Board of the Foreign Service.—

- There shall be a Board of the Foreign Service composed of the Undersecretary of Foreign Affairs, as chairman, and the Counselors of the different offices of the Department, as members.
- The principal duty of the Board of the Foreign Service shall be to make recommendations concerning the functions and operations of the Foreign Service, the policies and procedures to govern the selection, assignment, and promotion of Foreign Affairs Officers and of Foreign Service staff officers and employees, and the policies and procedures to govern the administration and personnel management of the Foreign Service. It shall definitively establish the efficiency ratings of Foreign Service personnel, except alien clerks and employees in the Foreign Service, and shall perform such other duties as are assigned to it by this Act or any other Act or any executive order or regulation issued pursuant to law.
- An efficiency report, as shall be prescribed by the Secretary, shall be submitted to the Board in April of each year by the head of each office abroad on subordinate officers and employees of the service, except alien clerks and employees; by the chiefs of mission on the heads of offices; and by the Secretary on Foreign Affairs Officers assigned or on detail in the Department. Efficiency reports shall be rated "unsatisfactory", "satisfactory", "good", "very good", and "excellent". The Board shall certify all ratings to the Secretary not later than the first day of June of each year. Officers rated by the Board as "unsatisfactory" or "satisfactory" shall be notified by the Board wherein they are deficient. Those rated "unsatisfactory" shall in addition be warned that a subsequent consecutive similar rating may result in their separation from the service.
- No member of the Board shall, while acting as such member, intervene in any way in the selection, assignment, or promotion of himself or any relative of his within the fourth civil degree either by consanguinity or affinity, nor shall he interest himself, directly or indirectly, in such selection, assignment, or promotion.
- The Secretary shall assign to the Board such employees as may be necessary to assist it in the efficient performance of its functions.

SEC. 2. Lineal Roster.—The Board shall keep a lineal roster of all Foreign Affairs Officers as well as of Foreign Service staff officers and employees strictly in the order of their ranks and seniority in each rate or class, based on their respective dates of appointments. In submitting recommendations for promotions to the Secretary, the Board shall base its recommendations on the seniority and efficiency ratings of the officers and employees concerned.

SEC. 3. Promotion of Foreign Affairs Officers.—All promotions of Foreign Affairs Officers shall be made by the President, with the consent of the Commission on Appointments, by appointment to a higher class upon the recommendation of the Board of the Foreign Service. Promotions shall be by selection on the basis of merit.

SEC. 4. Recommendations for promotion of Foreign Affairs Officers.—The Board of the Foreign Service shall evaluate the performance of Foreign Affairs Officers and, on the basis of their findings, the Secretary shall make recommendations to the President for their promotion from one grade to the next higher grade or from one class to the next higher class. The Secretary shall, by regulation, determine the minimum period that a Foreign Affairs Officer must serve in each class and a standard of performance for each class which must be met before he may become eligible for promotion to a higher class.

SEC. 5. Promotion of Foreign Service staff officers and employees.—The Secretary may promote a Foreign Service staff officer or employee upon recommendation of the Board of the Foreign Service from one grade to the next higher grade or from one class to the next higher class.

SEC. 6. Promotion of alien clerks and employees.—The Secretary may, upon recommendation of the chief of mission or principal officer concerned, grant promotion from one class to a higher class to alien clerks and employees.

## **PART B.—SEPARATION FROM THE SERVICES**

### **SECTION 1. Foreign Affairs Officers—**

- For old age.— Any Foreign Affairs Officer who has reached the age of sixty-five years shall be separated from the service, but whenever the President shall determine that an emergency exists, he may, in the public interest, extend such an officer's service for a period not to exceed five years.

- For disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance.—The president, upon recommendation of the Secretary, may separate from the service any Foreign Affairs Officer on account of disloyalty to the Government, unsatisfactory performance of duty, misconduct or malfeasance in office; but no such officer shall be separated from the service until he shall have been granted a hearing before the Board of the Foreign Service and his disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office shall have been established at such hearing.

### **SEC. 2. Foreign Service staff officers and employees—**

- For old age.—Any staff officer or employee who has reached the age of sixty-five years shall be separated from the service, but whenever the President shall determine that an emergency exists, he may, in the public interest, extend such an officer or employee's service for a period not to exceed five years.

- For disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance.—The Secretary may, upon the recommendation of the Board of the Foreign Service, separate from the service any staff officer or employee on account of disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office; but no such officer or employee shall be separated from the service until he shall have been granted a hearing by the Board of the Foreign Service and his disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office shall have been established at such hearing.

SEC. 3. Alien clerks and employees.—Upon recommendation of the chief of mission or principal officer concerned, the Secretary may separate from the service any alien clerk or employee on account of disloyalty to the Government, unsatisfactory performance of duty, misconduct, or malfeasance in office.

SEC. 4. Consular agents and honorary consuls.—The Secretary may separate any consular agent or honorary consul from the service for any cause which he may deem sufficient for the purpose.

## **TITLE V.—Insurance and Retirement System**

SECTION 1. Membership in the Government Service Insurance System.—All permanent officers and employees of the service who are citizens of the Philippines shall have compulsory insurance with the Government Service Insurance System under the rules and regulations governing the same: Provided, however, That the President may, as soon as practicable, submit for enactment by the Congress a Foreign Affairs Retirement and Disability System, taking into account the difficulties of Foreign Service personnel in setting aside sufficient savings to take care of their eventual retirement in the Philippines due to old age or some other disability with increased burdens of

establishing a home in the Philippines upon completion of their tour of duty abroad.

TITLE VI.—Allowances, Per Diems, Travel Expenses and Benefits

**PART A.—ALLOWANCES**

SECTION 1. Living quarters allowances.—

- The Secretary is authorized, in accordance with such regulations as he may prescribe with the approval of the President, to grant living quarters allowances to any officer or employee in the service 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.

- Living quarters allowances shall be granted at a per annum rate and shall be computed and paid semi monthly beginning with the first or sixteenth day of the month, following the arrival of the payee at his post of assignment. On transfer from post, allowances shall cease on the first or sixteenth day of the month, following departure therefrom. Quarters allowances are designed to enable personnel to whom they are granted to live in a manner befitting their representative capacities and must not be used to augment salaries. For the first three months after arrival at post, the maximum amount is payable, after which only actual expenditures for rental of suitable residential quarters, including expenses for quarters, heating light, fuel, gas, telephone and maintenance, if these items are not included in the contract of lease, may be paid and each reimbursement voucher must contain these data under oath.

- Where government-owned, furnished and heated quarters are available, no living quarters allowances shall be paid to persons occupying such quarters. No allowances shall be paid for quarters occupied free or under arrangements with other parties permitting direct or indirect gain to the claimant or his family.

- If a person entitled to living quarters allowances occupies quarters owned by him, his wife or children, he shall be entitled to a quarters allowance equal to the rental value of the quarters, not to exceed the maximum allowance authorized for him. The principal officer shall certify the rental value on the reimbursement voucher.

- No residence may receive for more one residence which must be at or within daily commuting distance of his post of assignment. Allowances shall continue when the allottee is detailed by the Secretary or his principal officer to duty away from his post of assignment, for a period not to exceed six months, beginning with the first day of the month following departure.

SEC. 2. Cost of living allowances.—The Secretary may grant, in accordance with such regulations as he may prescribe with the approval of the President, cost of living allowances to any officer or employee in the service assigned abroad, who is a citizen of the Philippines, whenever he shall determine—

- that the cost of living at a post abroad is proportionately so high that an allowance is necessary to enable an officer or employee at such post to carry on his work efficiently;

- that extraordinary and necessary expenses, not otherwise compensated for, are incurred by an officer or employee of the Foreign Service incident to the establishment of his residence at his post of assignment;

- that an allowance is necessary to assist an officer or employee of the Foreign Service who is compelled by reason of dangerous, notably unhealthful, or excessively adverse living conditions at his post abroad or for the convenience of the Government to meet the additional expense of maintaining his wife and minor children elsewhere than in the country of his assignment.

SEC. 3. Post allowances.—The Secretary may, in accordance with such regulations as he may prescribe with the approval of the President, make an allotment of funds to any post to defray the unusual expenses incident to the operation and maintenance of an official residence suitable for the chief diplomatic or consular representative of the Philippines at that post.

Post allowances shall be granted at a per annum rate for fiscal years, beginning on the first or sixteenth day of the month, following arrival at post. On transfer from post, allowances shall cease on the first or sixteenth day of the month following departure therefrom. Post allowances shall be payable only when the officer is on duty status at his station.

SEC. 4. Representation allowances.—

- The Secretary may, in accordance with such regulations as he may pre-scribe with the approval of the President, grant representation allowances to the Secretary and Undersecretary, to chiefs of mission, special envoys, ministers, permanent delegates or representatives to international bodies, and principal officers, in order to enable such officers to uphold the prestige of the Republic of the Philippines, to represent their country with dignity and distinction, and to carry out their functions more effectively. Representation allowances may be revised as to amounts not oftener than once a year.

- Representation allowances shall be expended only for purposes which are of a public character, beneficial to the interests of the public service, and connected with the exercise of the functions of the Government in relation to the conduct of foreign affairs. They may be expended for necessary entertainment, charitable contributions, memorials, flowers, gifts, club initiation fees and membership dues, and the like. The officer to whom the allowance is granted may disburse any portion of it to cover necessary entertainment by his subordinates to accomplish certain tasks assigned to them.

- Expenses charged to representation allowances must be supported by proper receipts or vouchers if the individual amount of expenditure exceeds one hundred pesos. Where expenses are incurred for entertainment, the voucher must be accompanied by a statement of the officer concerned or by such proof as may show that the expenses have been made in the public interest. The documents submitted shall be treated as confidential.

- Should special entertaining be necessary because of formal visits of Philippine dignitaries traveling on diplomatic or special passports, the Department should be informed in advance thereof and specific request for funds therefor be made. No such expenses shall be incurred without the prior authorization of the Secretary.

SEC. 5. Clothing allowances.—The Secretary may, under such regulations as he may prescribe with the approval of the President, grant clothing allowances to officers and employees of the service assigned abroad not oftener than once every two years in amounts not exceeding one thousand pesos for chiefs of missions and principal officers, eight hundred pesos for Foreign Affairs Officers, and five hundred pesos for staff officers and employees.

SEC. 6. Accounting of allowances and allotments.—All such allowances and allotments as are provided in this Act shall be accounted for to the Secretary in such manner and under such rules and regulations as the President may prescribe. The Secretary shall report all such expenditures annually to the Congress with the budget estimates of the Department.

## **PART B.—PER DIEMS**

SECTION 1. Persons entitled to per diems.—All officers and employees of the service on travel status or on assignment outside their regular posts shall be entitled to per diems at such amounts as the Secretary, with the

approval of the President, may prescribe by regulation: Provided, however, That no per diem shall exceed sixty pesos in any case without the specific authorization of the President.

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

SBC. 3. Computation.—Per diems and service allowances shall be computed by dividing the day into quarters beginning at midnight. No per diems will be paid for fractions of a quarter. Local time will be used in computing per diems, no consideration being given to time lost or gained by traveling through the time zones. All vouchers for per diems must clearly state the exact hour, local time of entry into each area, as well as the time of original departure from the Philippines or post of duty and arrival at temporary station or stations, departure therefrom, and arrival at new post or return to the Philippines or other post of permanent duty.

### **PART C.—TRAVEL EXPENSES**

#### **SECTION 1. Class of transportation.—**

- All officers and employees of the service shall be entitled to minimum first class transportation by any usual means of public transportation for themselves, their wives and dependent minor children, not exceeding- three in number, whenever such travel is duly authorized by the Secretary: Provided, however, That this restriction shall not apply to the minor dependents in excess of three of any officer or employee already in the service of the Department of Foreign Affairs on the thirty-first day of December, nineteen hundred and fifty. For local travel away from post but within the district of assignment by any member of the staff, authority for such travel may be granted by the principal officer present at the post.

- Whenever deemed necessary due to high cost of living or to unhealthy conditions obtaining at the post of assignment abroad, the wife or husband of any officer or employee in the Foreign Service and her or his children, including their reasonable personal effects, may upon request of the parties concerned be allowed minimum first-class return transportation to Manila at the expense of the Government. This privilege may be extended to unmarried dependent children of the officer or employee concerned who become of age (21 years old) while living with their parents abroad.

- This privilege may be granted only once. Any member of the family (wife, husband, or unmarried children) of any officer or employee who returns to the Philippines in the manner provided in paragraph (6) above and who may want to rejoin later the officer or employee abroad either at the post whence such member of the family came, or at another post in the same country to which the officer or employee has been subsequently transferred, shall not be allowed official transportation for the proposed trip. Should such member rejoin the parent-officer or employee abroad, even at his own expense, such member shall not be entitled thereafter to official return transportation to the Philippines.

SEC. 2. Related expenses.—Any officer or employee of the service on assignment to or from a post shall also be entitled to allowance for packing, shipment by usual means of transportation, and unpacking at destination of furniture and other household and personal effects in such amounts and within such limitations as the Secretary, with the approval of the President, may prescribe by regulation.

## PART D.—BENEFITS

SECTION 1. Loan of household equipment.—The Secretary may, if he shall find it in the interest of the Government to do so as a means of eliminating transportation cost, provide officers and employees of the service with household equipment for use on a loan basis in personally owned or leased residences.

SEC. 2. Medical service.—The Secretary may, in the event of illness or injury requiring hospitalization of an officer or an employee of the service, not the result of vicious habits, intemperance, or misconduct on his part incurred in line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic, including travel expenses to and from said hospital or clinic, and such other incidental expenses as may be incurred in connection with such hospitalization treatment. If the officer or employee is too ill to travel unattended, the travel expenses of the attendant shall also be paid by the Government to the officer or employee concerned.

SEC. 3. Cost of preparing and transporting remains.— The Secretary may, in accordance with such regulations as he may prescribe with the approval of the President, authorize the payment of the cost of preparing and transporting to his former home in the Philippines, or to a place not more distant, the remains of an officer or employee of the service who is a citizen of the Philippines and the members of his family who may die abroad or while on travel status.

SEC. 4. Expenses of family of deceased officer or employee abroad.—Under such rules and regulations as may be prescribed by the Secretary with the approval of the President, the members of the family of any deceased officer or employee in the service shall be entitled to subsistence and living expenses until the date of their arrival in the Philippines.

SEC. 5. Leave of absence—

- Kinds of leave.—All officers and employees of the service who are citizens of the Philippines shall be entitled to thirty days vacation leave and thirty days sick leave with full pay for each year of service. Alien clerks and employees shall be entitled to such vacation and sick leave as they might be entitled to were they employed by their own government in the place where the post is situated, but in no case should such leave exceed thirty days vacation and thirty days sick leave for each year of service.

- Accumulation of leave.—Under such regulations as the Secretary shall prescribe with the approval of the President, all officers and employees of the service shall be entitled to accumulation of any vacation or sick leave not taken in any year to a maximum period of one hundred twenty days vacation leave and two hundred forty days sick leave, which accumulated leave may be granted in whole or in part at any time by the Secretary, subject to the exigencies of the service, upon proper request therefor.

- Home leave.—The Secretary may order to the Philippines on leave any officer or employee who is a citizen of the Philippines, together with his family, upon completion of three years' continuous and satisfactory service abroad or as soon as possible thereafter. The time actually and necessarily spent in going to and from the Philippines shall not be counted as leave. While on leave the Philippines, such officer or employee may be required serve in a position of comparable importance in the Department, but the period of such assignment shall not be counted as leave.

SEC. 6. Exemption from taxation.—All supplemental 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.

## TITLE VII.—Final Provisions

SECTION 1. Implementation.—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 appropriation act. In addition, the sum of two hundred thousand pesos is hereby authorized to be appropriated out of the unappropriated funds of the Treasury to carry out the provisions of this Act.

SEC. 2. Pool of Foreign Affairs Officers.—In all appropriation acts providing funds for the operation and maintenance of the Department, the positions of Foreign Affairs Officers, including those who may serve in the Home Office, shall be in a pool grouped according to their classes or grades with their salaries and allowances indicated in one lump sum for each class or grade, leaving to the Secretary the discretion to assign or commission such officers wherever their services may be utilized to advantage, subject to the limitations prescribed in this Act. In the exercise of his discretion, the Secretary shall see to it that career personnel in the Home Office are rotated and interchanged periodically with those abroad as envisioned in this Act.

SEC. 3. Use of savings.—The Secretary is authorized to use any savings in the appropriations for the Department for the payment of (a) cost of living allowances of personnel in the Home Office who are assigned for duty abroad; (b) expenses for the evacuation or repatriation to the Philippines, when necessary due to an emergency, of members of the household of the personnel of any diplomatic or consular establishment as well as the transportation of their personal effects; (c) actual return passage by the most direct and economical means of transportation and the cost of shipment of the household effects to Manila of any officer or employee in the Foreign Service, including the immediate dependent members of his family, who resigns or is separated from the service for cause; (d) the cost of preparing and transporting the remains of an officer or employee who is a citizen of the Philippines and the immediate members of his family who may die abroad or while on travel status as provided in this Act; and (e) contingent and unforeseen expenses that may arise in connection with the operation of the Foreign Service.

SEC. 4. Supplementary rules and regulations.—The Secretary, with the approval of the President, may issue such supplementary rules and regulations as may be necessary to implement the provisions of this Act.

SEC. 5. Duties for which regulations may be prescribed.—The Secretary shall, except in an instance where the authority is specifically vested in the President, have authority to prescribe rules and regulations not inconsistent with the Constitution and existing laws in relation to the administration of the service and to the duties, functions, and obligations of officers and employees of the service.

SEC. 6. Separability of provisions.—If any section or part of this Act be declared unconstitutional by competent authority, the remaining sections or parts hereof shall not be thereby affected.

SEC. 7. Repealing clause.—All acts, executive orders, and regulations issued pursuant to existing law or parts thereof which are inconsistent with this Act are hereby repealed.

SEC. 8. Effectivity clause.—This Act shall take effect on its approval.

Approved, June 5, 1952.

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