

GUIDELINES FOR LOCAL AND FOREIGN TRAVELS OF OFFICIALS AND EMPLOYEES OF THE JUDICIARY

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The following Guidelines are hereby adopted for Local and Foreign Travels of Officials and Employees of the Judiciary.

I. PURPOSES

To establish the parameters that shall be observed uniformly in authorizing local and foreign travel.

To address issues relative to the rates of allowances taking into account the provisions of Executive Order No. 298, and other relevant and applicable laws and issuances, including those of the Constitutional Fiscal Autonomy Group (CFAG).

II. RATIONALE

Executive Order No. 477 dated 21 August 1991 authorizes the Judiciary to promulgate guidelines on travels (local and abroad) on official business and prescribe rates of travel expenses for its Members and officials and employees.

III. COVERAGE

These guidelines shall cover domestic and foreign travels of regular officials and employees of the Supreme Court including the Program Management Office (PMO) and Public Information Office (PIO), as well as the Presidential Electoral Tribunal (PET), the Philippine Judicial Academy (PHILJA), the Mandatory Continuing Legal Education (MCLE) Office, the Judicial and Bar Council (JBC) and the Lower Courts. Foreign travel of members of the Court of Appeals, the Sandiganbayan and the Court of Tax Appeals shall be subject to approval by the Chief Justice.

Officials and employees whose travel is approved on official time only shall not be entitled to any travel and transportation expenses and/or reimbursement thereof.

Contractual hired and paid for specific projects or activities shall not be entitled to allowance. They shall be entitled to transportation and hotel or board and lodging expenses only if necessary and justified.

Process servers or personnel authorized to serve summons, subpoenas and other court processes shall no longer be entitled to traveling expenses in view of Sec. 10, Rule 141 of the Rules of Court, as amended.

IV. DEFINITION OF TERMS

A.

Travel Expense is the amount authorized to cover hotel or lodging rates, meals and incidental expenses, excluding transportation expenses going to and from the travel destination. It may include incidental expenses incurred in the movement or transportation by bus, automobiles, railway, airline or steamship of the traveler,

such as those for subsistence, lodging and per diems, hiring of guides or patrol, transportation of personnel baggage or office effects, tips, transfers, non-commutable transportation expenses, road tolls, parking fees and all other similar expenses.

B.

Transportation Expense is the amount authorized to cover expenses from the permanent official station or residence to the destination or place of work or assignment in the field and back to the permanent official station or residence.

C.

Hotel Room or Lodging Rate is the daily hotel or lodging cost including taxes and service charges.

D.

Incidental Expense is the amount that includes but not limited to baggage fee, travel insurance, portage, and local inland transport.

E.

Proper Accounting refers to the procedure whereby the prescribed liquidation documents are submitted to and received, but not yet recorded in the books of accounts by the Accountant nor audited by the Auditor.

F.

Liquidation is the recording of the liquidation documents in the books of accounts by the accountant as a credit to the cash advance account after verifying the same.

G.

Inland or Local Transportation Expense is the authorized amount for transportation expenses upon arrival at the office or temporary residence in the place of assignment in the field.

H.

Prevailing or Customary Rate of Transportation refers to the most economical fare as authorized by the proper transportation office or the usual cost of transportation as certified by the proper local government official.

V. GENERAL GUIDELINES

A.

Travels for officials and employees shall be approved by the Chief Justice or his duly authorized approving officer.

B.

Only ordinary public conveyance or customary modes of transportation shall be used except in meritorious and justifiable cases. Subject to approval by the Chief Justice, the officials or employees concerned shall indicate in the travel authority the mode or class of transportation and the kind and class of the hotel, lodging or pension house to be utilized as temporary residence, which, in all cases shall be the most advantageous to the government from the standpoint of economy and efficiency. In the Supreme Court, the Office of Administrative Services shall be responsible for the purchase of airplane tickets either directly or by canvass among the accredited travel service providers for the Supreme Court pursuant to Memorandum Order No. 17-2003 dated 7 May 2003 or through reputable travel agencies which may be able to provide better, faster and more efficient service and greater advantage to the Court.

C.

Expenses for both local and foreign travels shall be treated and accounted for as cash advances and/or reimbursements. No petty cash fund for miscellaneous expenses granted for specific purposes shall be utilized for traveling expenses.

D.

No cash advances shall be granted to any official or employee unless and until proper accounting of cash advance for previous travel shall have been made or the same is first liquidated and/or settled. Neither shall reimbursement of travel expense be allowed until the claimant shall have fully liquidated all previous cash advances.

E.

The Chief Justice may authorize, subject to availability of funds, officials and employees to claim reimbursement of actual travel expenses incurred in the course of official travel subject to existing accounting and auditing rules and these conditions:

1.

Certification or affidavit of loss shall not be considered as appropriate replacement for the required airplane, boat or bus fare, hotel or lodging bills, and receipts

2.

No portion of the actual cost of travel expenses allowed shall cover the expenses of any of the staff accompanying an official and the expenses incurred for representation.

3.

Officials and employees whose travel period is extended due to sickness shall not be entitled to reimbursement of actual expenses incurred from the onset of ailment up to the time of recovery inasmuch as no government service has been rendered, unless the illness was contracted in the course of the performance of his/her duty in the field as established by supporting medical documents.

4.

Officials and employees whose travel period is cancelled or extended due to a fortuitous event shall be entitled to reimbursement of actual expenses incurred during his/her stay in his/her temporary station.

VI. SPECIFIC GUIDELINES

A. LOCAL TRAVEL

1.

Travel of officials and employees shall not exceed one (1) calendar month each year, unless a longer duration is authorized by the Chief Justice.

2.

The amount of transportation expenses allowable shall be the actual fare at the prevailing rates of the ordinary means of transportation by land, sea and air from the permanent official station to the destination or place of work or assignment in the field and back to the permanent official station. It includes transportation and portage from the office or residence of the official or employee whichever is economical to the point of embarkation and from the point of debarkation to the office or temporary residence in the place of assignment in the field and from the office or temporary residence in the place of assignment in the field to the point of embarkation and from the point of debarkation to office or residence. It shall exclude local transportation and other expenses upon arrival in the office or temporary residence in the place of assignment in the field which are covered by the travel expense. Taxi fare, if necessary, shall not exceed One Hundred Pesos (P100.00).

3.

To ensure that government funds and property are used only for official purposes, no reimbursement of the cost of gasoline and oil shall be allowed if and when a private vehicle is used by the traveling official or employee. In such circumstance, the official or employee shall be entitled only to the reimbursement of the equivalent cost of the customary mode of transportation. Under no circumstances shall fuel be issued to privately-owned motor vehicles.

4.

Officials and employees who use government vehicle shall not be entitled to transportation expense.

5.

Hiring of private vehicles shall be allowed only if the claim is justified in an affidavit executed by the claimant, and its reasonableness duly certified by the proper Chief of Office, the Presiding Judge, the Executive Judge, or the proper Deputy Court Administrator or Assistant Court Administrator if the claimant is an Executive Judge. The hiring of private vehicles in an amount exceeding One Thousand Pesos (P1,000.00) per trip must be approved by the Chief Justice.

6.

Officials and employees of the Lower Courts shall submit their claims for travel and transportation expenses on a monthly basis.

7.

Travel Within Fifty-Kilometer Radius

7.1

Officials and employees whose permanent official station is within Metropolitan Manila and are authorized to travel to places within the same area shall be allowed reimbursement of actual fare at the prevailing rates of transportation from their permanent official station to their destination and back to their permanent station plus the authorized cost of meal allowance. Officials and employees whose permanent official station is located in places other than the Metropolitan Manila area and are authorized to travel within the city or town where their permanent official station is located shall be allowed the same privileges.

a.

Officials and employees who attend seminars or workshops outside the Supreme Court compound and use official vehicle shall not be entitled to any allowance but they may be reimbursed for actual and reasonable transportation expenses if they do not use official vehicle.

b.

Officials and employees, including drivers, who deliver and/or inspect office supplies or conduct ocular inspections of Halls of Justice who use government vehicles, are entitled to meal allowance only. Drivers of vehicles used for judicial or financial audits shall transport the said officials and employees to their official destination only.

c.

Process servers and liaison officers who are allowed to use official vehicles by the nature of their job are

entitled to meal allowance only. If they do not use official vehicles, they shall be entitled to reimbursement of actual and reasonable transportation expenses, aside from meal allowance. In both instances, they are entitled to said meal allowance only if they are out of their official station for one (1) full day.

d.

Canvassers, purchasers and maintenance personnel who are send on errand from time to time are entitled to reimbursement of actual transportation expenses. They shall likewise be entitled to meal allowance if they are out of the office for one (1) full day.

Process servers, liaison officers and canvassers or purchasers shall no longer be entitled to a monthly expense allowance.

e.

Drivers of the Chief Justice, Associate Justices and other court officials are entitled to meal allowance only during official travels.

f.

Personnel who take a taxicab may be entitled to reimbursement of actual taxi fare only after his/her supervisor shall have justified in writing the necessity of the use of such mode of transportation.

7.2

When the official travel or assignment is to places within the fifty (50) kilometer-radius from the last city or municipality covered by the Metropolitan Manila Area (MMA) for those whose permanent official station is in the MMA, or the city or municipality wherein their permanent official station is located in the case of those outside the metropolitan manila area and the amount of travel expenses being claimed includes the hotel room or lodging rate, the following shall be required:

7.2.1

Written justification for staying beyond one (1) full day.

7.2.2

Submission of the hotel room or lodging bills or invoices with official receipts to prove that they stayed in the place of destination or assignment and are not commuting daily from the place of assignment to the place of their residence or permanent official station.

7.3

If the claimant commutes daily from his/her place of assignment to his/her residence or permanent official station, he/she shall be allowed reimbursement of actual fare at the prevailing rates of the authorized mode of transportation and cost of actual meals only. In no case shall the total actual fare, cost of meals and incidental expenses exceed Four Hundred Pesos (P400.00) a day.

8. Travel Beyond Fifty-Kilometer Radius

8.1

The local travel expenses of officials and employees, regardless of rank and destination, shall be in the amount of Eight Hundred Pesos (P800.00) per day, divided into three (3) components:

Cost of meal at P80.00 per meal
P240.00

Incidental Expenses
P160.00

Hotel and Lodging P400.00

8.2

Full travel expense shall be allowed only in case of absence from the permanent official station for one (1) full day or more.

Particulars

Cost of
Meal

Incidental
Expenses

Hotel or
Lodging

Total

Departure from permanent station before 12:00 nn

240.00

160.00

400.00

800.00

Departure from permanent station after 12:00 nn.

80.00

160.00

400.00

640.00

Arrival at permanent station before 12:00 nn

80.00

160.00

-0-

240.00

Arrival at permanent station after 12:00 nn

160.00

160.00

-0-

320.00

8.3

Transportation expenses shall be in addition to travel expenses.

8.4.

When the travel is for less than one (1) day, only the amount corresponding to the cost of meal and incidental expenses shall be allowed.

8.5

The travel expenses herein authorized shall not be granted to officials and employees who either conduct, monitor, facilitate or attend seminars, conventions, workshops or conference in venues where hotel or lodging and meals are provided for. They shall be entitled to travel and transportation expenses one (1) day before and one (1) day after the seminar or convention only. Non-Judiciary personnel who extend assistance or facilitate the conduct of seminars, training programs and similar activities conducted by their own agencies or entities shall in no case be entitled to any allowance. However, if the seminars, training programs or similar activities are conducted on Saturdays, Sundays or holidays, those non-judiciary personnel who will assist in the conduct thereof shall be entitled to an expense allowance for such extra days of work.

8.6

The Chief Justice may prescribe other travel rates for officials and employees who are authorized to travel and work in Baguio City during Summer Sessions. The same Officials and employees, and those who attend

conferences in, or bring supplies, equipment, etc., to Baguio City shall be required to stay in the Supreme Court cottages and Staff houses with no hotel or board and lodging allowance. Only those who cannot be accommodated at the SC cottages and Staff houses shall be entitled to such hotel or board and lodging allowance.

8.7

To preclude double payment of expenditures, the travel expense prescribed shall not be allowed in cases where the fare paid for transportation includes meals and quarters en route to the official destination and back to the office or residence of the official or employee concerned, or where meals and lodging are paid for or provided by the government. Where the cost of meals and lodging paid for by the government does not exceed P800.00 per day or where either meals or lodging only is furnished by the government, the difference in amount shall be paid to the official or employee concerned to cover local or inland transportation and other incidental expenses while in the place of assignment. If the cost of meals and lodging furnished by the government is equal to or exceeds P800.00 per day, no travel expense shall be paid by the government.

9. Drawing of Cash Advance

9.1

The cash advance voucher for official local travel shall be supported by:

a.

Approved travel order; and

b.

Itinerary of travel detailing complete residential address of the claimant, the time of departure and arrival, and the transportation and travel expenses to be incurred as bases for determining the amount of cash advance.

9.2

The Chief of Division or the immediate supervisor in case of Supreme Court employees, the Deputy Court Administrator or Assistant Court Administrator in case of Executive Judges, the Executive Judge in case of Judges, the Presiding Judge in case of Branch Clerk of Courts or Clerk of Courts, or the Branch Clerk of Court or Clerk of Court in case of the Lower Court employees shall be responsible for the review of the itinerary of travel duly accomplished by those duly authorized to travel, its accuracy and propriety, as well as the reasonableness of the expenses being claimed.

9.3

After the review of the itinerary of travel and the travel documents indicating expenses to be incurred as provided for in paragraph 9.2, the Chief of Office concerned, in case of Supreme Court employees, the Deputy

Court Administrator or Assistant Court Administrator in case of Executive Judges and the Presiding Judge or Executive Judge in case of lower court employees shall approve the itinerary of travel.

10.

Liquidation of Cash Advance

10.1

The cash advance for travel shall be liquidated strictly within thirty (30) days from the return of an official or employee to his permanent official station. Payment of salary of any official or employee who fails to render account on cash advances within the thirty-day period shall be suspended after five (5) days from notice of such failure to liquidate until compliance is made.

10.2

The official or employee shall draw up a liquidation report supported by the following documents:

a.

Certificate of Travel Completed with itinerary of travel attached;

b.

Used plane, boat or bus tickets showing the actual transportation fare from the official station or residence to the place of destination and back. Expenses for rebooking shall not be allowed unless supported by satisfactory explanation;

c.

Official receipts, statement of accounts and guest folios for hotel room or lodging bills for those claiming reimbursement of actual expenses; and

d.

Certificate of Appearance which shall include time of arrival and departure.

10.3

In case a trip is cancelled, the amount paid in advance shall be refunded in full. In case the trip is cut short or

terminated in advance of the itinerary authorized, the excess payment shall likewise be refunded. The refunds shall be made within ten (10) days from the cancellation or early termination of the trip. The Chief of the Fiscal Management and Budget Office (FMBO) for the Supreme Court and the Chief of the Financial Management Office, Office of the Court Administrator (FMO-OCA) for the Lower Courts shall see to the prompt compliance with the refund requirements.

10.4

In case a trip exceeds the approved itinerary, the additional travel expenses due shall be paid upon submission of a written justification satisfactory to the Chief Justice or his authorized representative or the authority for such extension.

11.

Reimbursement of Travel Expenses

11.1

In case the actual travel and transportation expenses exceed the amount of the cash advance granted, the official or employee concerned may be entitled to reimbursement of the expenses claimed subject to submission of justification, other supporting documents, and approval of the Chief Justice or the authorized approving signatory.

11.2

Officials and employees who were not granted cash advance may apply for reimbursement of travel and transportation expenses incurred in the course of their official travel.

11.3

Claims for reimbursement of travel expenses shall be supported by the following documents:

a.

Duly accomplished Disbursement Voucher Form, with Box A duly certified by the Chief of Office or immediate supervisor;

b.

Approved Travel Authority;

c.

Approved Itinerary of Travel;

d.

Certificate of Travel Completed;

e.

Used transportation tickets;

f.

Certificate of Appearance (time of arrival and departure must be specified);

g.

Other proofs of travel (e.g. bank deposits or slips, proofs of service of summons, subpoenas, etc.); and

h.

Official Receipts, statement of accounts and guest folios for hotel rooms or lodging bills for those claiming reimbursement of actual expenses.

11.4

In case the official or employee did not avail of the ordinary mode of transportation, the following additional supporting documents shall be submitted:

a.

Affidavit of claimant justifying the hiring or rental of vehicle indicating actual distance traveled;

b.

Certification or Resolution of the Land Transportation Franchising and Regulatory Board (LTFRB) or Certification of the Local State Auditor or Municipal Treasurer as to the prevailing rates of fares;

c.

Certification as to the reasonableness of the amount paid in the hiring or rental of vehicle duly certified by the proper Chief of Office concerned, in case of Supreme Court employees, the Deputy Court Administrator or Assistant Court Administrator in case of Executive Judges, or the Presiding Judge or Executive Judge in case of lower court employees; and

d.

Official Receipt or any valid proof of payment.

11.4.1

In the absence of sufficient proofs of the reasonableness of the fare claimed, the national average of the prevailing rates of fares per kilometer as approved by the LTFRB shall be utilized as basis for reimbursement of travel expenses.

11.4.2

In case the officials and employees hire a vehicle for a special trip to and from the temporary place of assignment, the total cost of such hiring or rental shall be divided equally or pro-rated. No one person shall claim the entire amount per rule E.2 of the General Guidelines.

11.4-3

Field verification of claims and refund of excess amounts.

Notwithstanding the reimbursement of transportation expenses claimed, the Court reserves its authority to verify the actual or prevailing rates of transportation in the localities concerned. If the amount approved is proven to be excessive, the claimant shall refund the excess amount in addition to administrative sanction that

may be imposed.

Court officials and employees who travel to various courts nationwide shall assist in determining or verifying the actual rates of transportation from one place to another.

11.5

Fees for excess baggage/s may be allowed only if there is an itemized list showing that the items to be transported pertain to official matters as certified by the proper Chief of Office or immediate supervisor of the claimant.

11.6

Rebooking fees or no-show charges are not reimbursable unless duly justified for compelling reasons.

B. FOREIGN TRAVEL

1. Foreign travel shall be undertaken for any of the following purposes:

1.1

Scholarships, fellowships and training or study grants recommended by the Personnel Development Committee or by the Educational Support Program Committee, as the case may be, and duly approved by the Chief Justice or the Court En Banc:

a.

Scholarships, fellowships and training or study grants secured, arranged, offered or sponsored by the Philippine Government or any of its instrumentalities;

b.

Scholarships, fellowships and training or study grants from outstanding foreign universities or institutions upon recommendation of the department concerned; or

c.

Scholarships, fellowships and training or study grants, and such other offers from outstanding foundations and scholarship programs as the Rockefeller Foundation, the Barbour Scholarship, the Carnegie Foundation, the

Guggenheim Foundation, the Asia Foundation, the Russel Sage Foundation, the Colombo Plan, etc.

1.2

Conferences, seminars or workshops, special missions and other non-study trips:

a.

Conferences, seminars or workshops sponsored by foreign governments or international government organizations to which the Philippine Government is committed or invited to send representatives or participants;

b.

Conferences, seminars or workshops sponsored by private organizations, whether international or not, invitations to which have been sent through their respective governments to the Philippine Government;

c.

Conduct of examinations or investigations of Philippine Government agencies or affairs; or

d.

Any other official missions which cannot be assigned to any other Philippine Government official or officials already abroad.

2.

Requirements on Request for Travel Abroad on Official Business and/or Official Time by All the Members and Personnel of the Judiciary:

2.1

The applicant's request for permission to travel abroad on official business shall:

a.

State the purpose of the trip and its duration, the itinerary and the benefit expected to be derived therefrom;

b.

Show that the purpose of the travel is related to his work or official function;

c.

State the number of times the applicant has traveled abroad on official business or official time, as well as the purpose and inclusive period of said trips, within the past three years of his service in the judiciary; and

d.

In the case of Members of the Judiciary except those of the Supreme Court, verified statement of the applicant's cases submitted for decision.

2.2

The official business status shall cover the inclusive dates of the program including direct travel time to and from the place of visit, the period used outside of these dates to be considered on official time only. The official business status entitles the official concerned to his salary, per diems and allowances granted. Official time entitles the official concerned to his/her salary for the duration of travel.

2.3

If, after departure, the trip is cancelled for any reason whatsoever, the applicant should inform the Supreme Court and all monies not otherwise legitimately spent should be returned and accounted for.

2.4

No official or employee should travel abroad on official business more than once a year unless authorized by the Chief Justice.

2.5

Requests from Justices of the Court of Appeals and the Sandiganbayan and the Court of Tax Appeals shall be favorably endorsed by the respective Presiding Justices and accompanied by a certification of availability of funds from the Chief Accountant of the respective courts. Likewise, requests from personnel of these courts shall be favorably endorsed by the respective clerks of court, approved by the Presiding Justices, and accompanied by a certification of availability of funds by the Chief Accountant of the court.

Requests from judges of the Regional Trial Courts, Shari'a District Courts, Metropolitan Trial Courts, Municipal Trial Court in Cities, Municipal Trial Courts, Municipal Circuit Trial Courts and Shari'a Circuit Courts shall be favorably endorsed by the Executive Judges. Likewise, requests from personnel of these courts shall be favorably endorsed by the respective clerks of court and duly approved by the Executive Judges.

2.6

Heads of offices who frequently receive invitations to attend conferences or seminars related to their work shall give equal opportunities to other officials from the same office who can likewise benefit therefrom.

3.

Drawing of Cash Advances

3.1

The cash advance voucher for official foreign travel shall be supported by:

a.

Approved Travel Order;

b.

Itinerary of travel detailing the transportation expenses and travel expenses including clothing and pre-departure expenses to be incurred as basis for determining the amount of cash advance. The commutable pre-departure expenses shall cover miscellaneous or incidental expenses such as passport, photographs, immunization, visa fees, taxi fare, tips, portage and terminal fees; and

c.

Certification of the official or employee concerned duly verified by the Chief Accountant to the effect that no clothing allowance had been received during the next preceding twenty-four (24) months, if clothing allowance is being claimed.[1]

4.

Uniform and Realistic Rates of Allowances[2] - The rates for daily allowance, hotel room and representation per Constitutional Fiscal Autonomy Group Joint Resolution No. 2 dated 14 August 1992, as amended by Joint Resolution No. 13 dated 7 September 1995 are:

Daily
Allowance (100%)

Hotel

Room

Rate

Representation Allowance
(100%)

Chief Justice

\$120

\$200

\$3,300

Associate Justice/Clerk of Court/ Court Administrator/Deputy Court Administrator or its equivalent

120

200

1,800

Asst. Clerk of Court/Division Clerk of Court/Assistant Court Administrator or its equivalent

120

200

1,600

Chief of Office/Asst. Div. Clerk of Court/Director IV or its equivalent/Second Level Judges

120

200

1,400

Asst. Chief of Office/Asst. Director or Director III and II or equivalent/ First Level Judges

120

200

1,000

Division Chief or equivalent

120

200

600

All other employees

120

200

400

The travel expense of \$120.00 per day, which will cover subsistence, local transportation and other incidental expenses, shall not be divided into units.

Actual travel expenses in excess of \$320.00 per day (\$120.00 daily allowance and \$200 daily room rate) as prescribed above may be allowed upon certification of the Chief Justice as absolutely necessary in the performance of an assignment and upon presentation of bills or receipts.

The Chief Justice may modify the rates herein specified subject to availability of funds.

5. Allowable Expenses

5.1

Pre-departure expenses

Officials and employees authorized to travel abroad shall be provided an allowance of P1,500.00 to cover local transportation fares to the airport or seaport and from such airport or seaport within Metro Manila; medical examinations; processing for the issuance of passport and travel tax exemption including incidental expenses for photographs, affidavits, certificate of birth and other related expenses, airport expenses excluding fees for excess baggage and local portage at customary rates. The agency shall shoulder the cost of visa fees.

5.2

Transportation

In case officials and employees authorized to travel abroad are not provided with transportation by the host country or sponsoring organization or agency, they shall be allowed official economy class transportation except for the Chief Justice who shall be entitled to a Full Business Class.

When the official or employee traveling abroad is provided by the host government or institution with per diem, or allowance lower than that prescribed in these Guidelines, he/she shall be entitled to the difference between the two amounts only.

5.3

Insurance

Any official or employee on official foreign travel shall be allowed reimbursement of premiums for accident insurance of not more than P200,000.00 for the duration of the official trip abroad. Health insurance premiums

are excluded.

5.4

Clothing Allowances[3]

Officials and employees authorized to travel abroad shall be granted clothing allowance of US\$400.00 subject to the approval of the Chief Justice and the availability of funds.

Clothing allowance shall not be granted more often than once in every twenty-four (24) months. The official or employee shall certify that he/she has not received clothing allowance during the 24 months preceding his date of travel. In case the amount of clothing allowance previously received is less than that to which the official or employee is entitled for the subsequent trip, he/she may be granted the difference between the two amounts.

6. Duration of Travel

6.1

The daily allowance and the hotel room rates shall be granted only for the duration of the official trip, including travel time which shall be computed according to the most direct air route, thus:

a.

Asian countries - not more than two (2) days before and two (2) after the conference or mission; and

b.

All other countries - not more than three (3) days before and three (3) days after the conference or mission.

6.2

Any extended period of travel resulting from a diversion from the authorized itinerary shall be on personal time and expense of the official or employee unless authorized by the Chief Justice.

7.

Reimbursement of Airport Terminal Fee

Reimbursement of airport terminal fee paid at the point of embarkation for the trip back to the Philippines upon completion of the official trip abroad is authorized.

8.

Rendition of Account of Cash Advances

Every official or employee shall liquidate the cash advance by submitting a certification that the amount was actually spent for the purpose/s of the official foreign travel within sixty (60) days after his return to his official station in the Philippines. Payment of the salary of any official or employee who fails to render account on cash advances within such 60-day period shall be suspended after five (5) days from notice requiring compliance with liquidation requirements until he/she complies therewith.

Refund of excess cash advance may be made either in U.S. dollars or in Philippine currency computed at the prevailing bank rate at the day of refund. In case of refund in Philippine currency, a bank certification or newspaper report on the bank rate shall be submitted.

9.

Submission of Report

Within thirty (30) days after the return of the official or employee authorized to travel abroad to the permanent official station, he/she shall submit a report with his recommendation, if any, on the conference or seminar attended, examination or investigation conducted or mission undertaken, to the Chief Justice. In case a delegation represents the Philippines in an international conference or convention, the delegation shall submit a report to the Chief Justice not later than thirty (30) days after the closing of the conference or convention. Any member of the delegation may submit a supplementary report.

10.

Obligations of a grantee or trainee

10.1

In accepting a foreign scholarship or training grant, the grantee or trainee binds himself/herself to these conditions:

a.

To live up to the terms and conditions of his/her grant;

b.

To conduct himself/herself in such a manner as to avoid disgrace or dishonor to himself/herself or to his country;

c.

To keep up with the standards of scholarship or to achieve accomplishments;

d.

To submit to the Chief Justice his official transcript of grades at the close of each quarter or semester;

e.

To return immediately upon the termination of his/her scholarship or training;

f.

To submit to the Chief Justice a report on his/her study/ training within sixty (60) days after his/her return to duty;

g.

To submit a re-entry plan or proposal for the application of newly-acquired skills or expertise to the Court, upon completion of at least six (6) months' study or training; and

h.

To. serve his Office or any other government office or instrumentality as the exigencies of the service may require, for the specified period indicated below:

Academic and Non-academic Programs including Extensions

Training Duration of Scholarship

Service Obligation

Every year or a fraction thereof not less than 6 months

2 years

A fraction of less than a year 6 months but not less than 2 months

1year

A fraction of a year less than 2 months

6 months

10.2

Failure of the grantee or trainee to fulfill the obligations provided under sub-paragraphs (a) to (e) shall be sufficient cause for the cancellation of his/her scholarship or training grant and for his recall. Should failure in any

of such cases be due to his/her own fault or willful neglect, he/she shall refund all the expenses in accordance with the provisions of the succeeding sub-paragraphs.

10.3

For failure to render the required length of service referred to in sub-paragraph (h) above on account of voluntary resignation, retirement, separation from the sendee through his/her own fault or other causes within his/her control, the grantee or trainee shall refund in full to the Court such amount/s as may have been defrayed for expenses incident to his/her scholarship or training as determined by the Court.

10.4

The policy of proportionate refund of monetary value of the grantee's or trainee's service obligation shall be enforced when he/she has served at least seventy-five (75%) percent of the required total service obligation. The Court, with the confirmation of the Special Committee on Scholarship, shall determine the proportionate amount and mode of payment of the refund within three (3) years from the effectivity of the arrangement between the grantee or trainee and the Court. For that purpose, the grantee or trainee shall execute an affidavit of undertaking duly secured by a bond.

10.5

Condonation by the Supreme Court may be allowed only in cases of: (i) abolition of the Office or involuntary phase-out of the position of the trainee in a re-organized office; and (ii) death or permanent disability of the trainee or grantee in which case the Court may impose such other sanctions as it may deem necessary for failure of the grantee or trainee to fulfill other obligations.

VII. EFFECTIVITY

This Administrative Circular shall take effect on the first day of April, 2005.

The Clerk of Court of the Supreme Court and the Office of the Court Administrator shall see to it that this administrative circular be faithfully implemented.

Issued this 22nd day of March 2005.

(Sgd.) HILARIO G. DAVIDE, JR.

Chief Justice

Copy furnished:

Office of the Chief Justice

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Office of the Reporter
Management Information Systems Office
Program Management Office
Public Information Office
Office of Administrative Services, OCA
Financial Management Office, OCA
Court Management Office, OCA
Records Control Division

[1]No clothing allowance is granted under Administrative Circular No. 44-2004 dated 10 September 2004 adopting measures to reduce expenditures and increase savings in appropriations in the Judiciary.

[2]Daily Allowance and Representation Allowance are granted 75% and 65%, respectively of the current rates under the Administrative Circular No. 44-2004 dated 10 September 2004.
17.

[3]See: Footnote No. 1.

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