



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 146-2006

TO : ALL PERSONNEL OF THE JUDICIARY

SUBJECT : PROHIBITION AGAINST DUAL APPOINTMENTS AND DOUBLE COMPENSATION OF A GOVERNMENT EMPLOYEE

Quoted hereunder for your information and guidance is the resolution of the Third Division of this Court dated April 26, 2006 in A.M. No. 06-3-89-MTC Re: Query on Prohibition Against Dual Appointments and Double Compensation of a Government Employee.

“The Court *NOTES* the Report dated March 7, 2006 of the Office of the Court Administrator on the letter of Rogelio V. Ligsay, Clerk of Court, Municipal Trial Court, Buguey, Cagayan, inquiring whether the position of Chairman of the People’s Law Enforcement Board (PLEB) of Buguey, Cagayan, which he presently holds, falls within the prohibition against dual appointments and double compensation of a government employee, finding that:

Clerk of Court Rogelio V. Ligsay’s acceptance of his designation as one of the members in the PLEB is contrary to jurisprudence x x x. Such membership in the PLEB likewise falls under the prohibitions enumerated under Sec. 5, Canon III of the Code of Conduct for Court Personnel (A.M No. 03-06-13-SC promulgated on April 27, 2004).

Although membership in the PLEB is a civic duty, PLEB members may be paid per diem as may be determined by the city or municipal council from city or municipal funds. The Board has jurisdiction to hear and decide citizen’s complaints or cases filed before it against erring officers and members of PNP. (*R.A. 6975, January 21, 1991*)

With the nature of its creation, source of compensation/allowance and the duties attached to the position, it is clear that such membership falls under the classification of “outside employment” contemplated under Sec. 5, paragraphs (c) and (e) of the Code as abovequoted.

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As recommended in the said report, the Court Resolves:

- (a) to **NOTE** the letter dated January 7, 2006 of Rogelio V. Ligsay, Clerk of Court, Municipal Trial Court, Buguey, Cagayan; and
- (b) to **DIRECT** Clerk of Court Ligsay, in view of existing jurisprudence and the provisions under Sec. 5, paragraphs (c) and (e) of the Code of Conduct for Court Personnel, to avoid accepting other positions or designations detrimental to his functions and to immediately desist from performing the functions of a member of the People's Law Enforcement Board (PLEB)."

For strict compliance.

October 27, 2006.


CHRISTOPHER O. LOCK
Court Administrator