

Republika ng Pilipinas
(Republic of the Philippines)
MINISTRI NG EDUKASYON, KULTURA AT ISPORTS
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)
Maynila

January 11, 1985

MECS O R D E R
No. 4, s. 1985

SIGNATURE OF UNIT AUDITORS NOT NECESSARY
IN CLEARANCES OF AGENCY OFFICIALS
EXCEPT IN CERTAIN CASES

To: Bureau Directors
Regional Directors
School Superintendents
Vocational School Superintendents/Administrators

1. In consonance with Commission on Audit Circular No. 84-234 dated October 5, 1984, copy **inclosed** unit auditors need not sign clearances of management officials and personnel. Action on clearances is purely a management function consistent with the now well-established principle that fiscal responsibility rests with the agency.
2. However, when the officer or employee is under bond and he is leaving or attempting to leave the Philippines, clearance should first be secured from the Chairman, Commission on Audit, or his duly authorized representative.
3. Attention is also invited to the portion of the **inclosed** COA Circular which states that the directive to unit auditors to stop signing clearances of agency officials is without prejudice to the duty of auditors to certify to the balances arising in the accounts of officers settled by them.

(SGD.) JAIME C. LAYA
Minister

Incl.:
As stated

Reference:
None

Allotment: 1-2---(D.O. 1-76)

To be indicated in the Perpetual Index under the following subjects:

BUREAUS & OFFICES
OFFICIALS
RULES & REGULATIONS

(Inclure to MECS Order No. 4, s. 1985)

Republic of the Philippines
COMMISSION ON AUDIT
CENTRAL OFFICE
Don Mariano Marcos Avenue, Quezon City, Philippines

October 5, 1984

COMMISSION ON AUDIT CIRCULAR NO. 84-234

TO : All Heads of Ministries, Agencies, Offices Subdivisions and Instrumentalities of the Government, Including Government-Owned or Controlled Corporations and Local Government Units; COA Managers/General Counsel/COA Regional Directors; All Auditors/Heads of Auditing Units; Provincial and City Treasurers; Cash and Property Accountable Officers; Chief Accountants; and Others Concerned.

SUBJECT : PARTICIPATION OF COA AUDITORS IN THE ISSUANCE OF CERTIFICATES OF CLEARANCE FOR AGENCY OFFICIALS AND EMPLOYEES.

It has come to the attention of this Commission that unit auditors affix their signatures on the certificates of clearance of management personnel in the agency wherein they are assigned invariably signifying approval or notation of such clearance. This practice of affixing the auditor's signature is not required by existing laws or regulations and is purely a management function, consistent with the now well-established principle that fiscal responsibility rests with the agency. The only instance where the auditor or his authorized representative signs and issues a certificate of clearance is when an officer or employee whose fidelity is or has been insured in the Fidelity Fund shall leave or attempt to leave the Philippines, in which case such officer or employee must first secure a certificate of clearance from the Chairman of the Commission on Audit or his duly authorized representative showing that his accounts had been settled, pursuant to Section 335 of the Revised Administrative Code, Section 209 (c) of the National Accounting and Auditing Manual as implemented under Instruction No. 3 of General Circular No. 52, dated December 23, 1957. For this purpose, the official leaving the Philippines shall submit through the bond clerk, Bureau of Treasury, his application for clearance, General Form No. 60 (A) (Section 209 (c), last sentence, (NAAM).

In view of the foregoing, except in the issuance indicated above, the present practice of affixing the auditor's signature to the certificate of clearance of management officials or employees shall altogether be stopped. This prohibition is without prejudice to the duty of auditors of all government agencies to certify the balances arising in the accounts of officers settled by them with the Certificate of Settlement and Balances pursuant to Sections 81 and 82, P.D. 1445, as implemented by COA Circular No. 81-156 dated January 19, 1981 and COA Circular No. 82-175 dated January 25, 1982, and to the procedural guidelines for the implementation of Section 47 of P.D. 1445 on constructive distraint of property of accountable officers outlined in COA Circular No. 82-180 dated March 31, 1982. Attention is invited to the pertinent provisions of Article 219 of the Revised Penal Code which reads thus:

"Article 219. Failure of a responsible public officer to render accounts before leaving the country. - Any public officer who unlawfully leaves or attempts to leave the Philippine Islands without securing a certificate from the Insular Auditor showing that his accounts have been finally settled, shall be punished by arresto mayor, or a fine ranging from 200 to 1,000 pesos, or both. (Revised Penal Code)

The clearance issued shall not relieve any official or employee issuing/receiving clearances from accountability or liability where an official or employee who had been cleared is later discovered to be liable or accountable for cash/ and/or property under existing laws, rules and regulations.

Any provision of existing rule and regulation inconsistent herewith is deemed amended or modified accordingly.

This takes effect immediately.

(SGD.) FRANCISCO S. TANTUICO, JR.
Chairman

(SGD.) SILVESTRE D. SARMIENTO
Commissioner

A true copy: