



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
BARMM Compound, Cotabato City

SECOND REGULAR SESSION

RESOLUTION NO. 75

**URGENT RESOLUTION EXTENDING FURTHER THE PHASE-OUT
PLAN FOR ACCOUNTABLE OFFICIALS AND EMPLOYEES OF
THE FORMER AUTONOMOUS REGION IN MUSLIM MINDANAO
(ARMM)**

WHEREAS, Section 10, Article XVI of RA 11054, otherwise known as the Bangsamoro Organic Law (BOL) provides that the Bangsamoro Transition Authority shall schedule the gradual phasing out of offices of the Autonomous Regional Government in Muslim Mindanao, which are deemed abolished upon the ratification of the Bangsamoro Organic Law;

WHEREAS, Section 10, Article XVI of the Bangsamoro Organic Law also provides that in consideration of public interest and the delivery of services, officials holding appointive positions shall continue to perform their functions in accordance with the phase-out schedule;

WHEREAS, the BTA Parliament approved Resolution No. 54 dated December 27, 2019, resolving to extend the Phase-Out Plan for accountable officials and employees of the former ARMM until March 31, 2020, or upon settlement of all accounts and submission of annual financial accountability and physical accomplishment reports, whichever comes first;

WHEREAS, the President of the Philippines issued Proclamation No. 929 dated March 16, 2020, declaring a State of Calamity throughout the Philippines for a period of six (6) months, unless earlier lifted or extended as circumstances may warrant;

WHEREAS, alongside the aforesaid declaration, local government units have enforced "Enhanced Community Quarantine" within their areas of responsibility making it impossible, for the time being, to continue the scheduled hiring processes of the Bangsamoro Government;

WHEREAS, the Bangsamoro Parliament has temporarily caused the suspension of the conduct of regular sessions due to the impossibility of convening majority of all its members to achieve a quorum to authorize transaction of official business because of strict travel restrictions brought by the community quarantine rules imposed by the different local government units, and the necessity of the Parliament members to address the urgent needs of the Bangsamoro people at the time of pandemic;

WHEREAS, the extraordinary circumstances justify the need to further ensure continuous and effective delivery of government services by the BTA in the Bangsamoro Autonomous Region during the period of state of calamity throughout the Philippines due to Coronavirus disease 2019;

WHEREAS, there is a need to extend the phase-out period for accountable officials and employees who are responsible for the preparation of the Annual Financial Reports, and periodic physical inventory of property and equipment, those officials who are in charge on the settlement of accounts and clearances of the various offices, and those who provide technical support;

WHEREAS, acknowledging that the Interim Chief Minister issued Executive Order No. 02 s. 2020 with the title "Further Ensuring Continuous and Effective Delivery of Government

Services to the Bangsamoro People During the Period of State of Calamity Due to Coronavirus disease 19" which states:

Sec. 1. Continuous Services and Salaries. - Upon recommendation by the concerned head of ministry, office, or agency to the Chief Minister, and upon approval of the latter, officials and employees of the former ARMM whose services were extended by virtue of BTA Res. No. 54 dated Dec. 27, 2019 and OCM Memorandum Circular No. 1, s. 2020 dated Jan. 2, 2020 shall be allowed to continue their services in their current capacities until June 30, 2020, unless their resignations are sooner accepted, replacements appointed, or new appointments issued under the approved staffing pattern in their respective agencies. Salaries and other benefits appurtenant hereto shall be charged against the Annual Block Grant for CY2020, specifically the Miscellaneous Personnel Benefits Fund.

The BTA Parliament shall be considered an office for the purposes of this Order.

Sec. 2. Designation. - In case of temporary absence of any accountable officer or employee in any ministry, office or agency, or refusal of the former to continue his/her services, its head may, to the extent permissible by civil service laws and rules in relation to the transition period, designate any other subordinate officer or employee within the organization to perform temporarily the duties of the accountable officer or employee.

Sec. 3. Simultaneous Hiring Process. - Notwithstanding the provisions hereof, the ministries, offices, and agencies of the BTA shall continue the conduct of their hiring processes while taking into account the safety of all concerned.

Sec. 4. Promulgation of Guidelines and Implementation of this Act. - The Office of the Executive Secretary shall have the primary responsibility for the implementation of this order. It shall transmit the list of names of officials and employees covered by this order to the Office of the President, Department of Budget and Management, BTA Parliament, Ministry of Finance, and Budget and Management, Civil Service Commission, and Commission on Audit, for record purposes.

The Office of the Chief Minister is hereby authorized to promulgate guidelines necessary to carry out the provisions hereof.

Sec. 5. Repealing Clause. - All laws, executive orders, rules and regulations which are inconsistent with the provisions hereof are hereby repealed or modified accordingly.

Sec. 6. Separability Clause. - In the event that any provision of this order is declared to be unconstitutional or invalid, other provisions thereof that are not affected thereby shall continue to be in force and effect.

Sec. 7. Effectivity. - This Executive Order shall take effect immediately.

WHEREAS, the extended phase-out period of accountable officials is considered an amendment of the Bangsamoro Transition Plan which similarly requires the majority vote of all the members of the Bangsamoro Transition Authority under Section 6, Article XVI of the RA 11054 or the Bangsamoro Organic Law;

WHEREAS, considering the considerable number of deliverables still pending completion by the accountable officers and technical support staff having worked only with a

skeleton workforce during the period of community quarantine, the further extension of the phase-out period of select officials up to December 31, 2020 is determined to be necessary by the Parliament;

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved by the Bangsamoro Transition Authority, to extend the phase-out plan for accountable officials and employees of the former ARMM, specifically the accountable officers including the finance officers and select support personnel until December 31, 2020, unless sooner replaced with the settlement of accountability reports and physical accomplishment, whichever comes first.

RESOLVED, FURTHER, that the different heads of Ministries and agencies shall submit list of accountable officers and employees whose periods of service need extension until December 31, 2020 for the approval of the Chief Minister, provided that the Office of the Chief Minister shall furnish a copy of the list of such officers and employees to the Bangsamoro Transition Authority Parliament.

RESOLVED, FURTHERMORE, that the officers and personnel to be extended shall continue to perform in their current capacities unless their appointments are sooner revoked, resignations accepted, replacements appointed, or new appointments issued under the approved staffing pattern in their respective agencies.

RESOLVED, FURTHERMORE, that the payment for the salaries and wages of the extended personnel shall be charged to Miscellaneous Personnel Benefits Fund as provided in the FY 2020 Bangsamoro Appropriations Act.

RESOLVED, FURTHERMORE, that in case of temporary absence of any accountable officers or employee in any ministry, office or agency, or refusal of the former to continue his/her services, its head may, to the extent permissible by civil service laws and rules in relation to the transition period, designate other subordinate officer or employee within the organization to perform temporarily the duties of the accountable officer or employee.

RESOLVED, FURTHERMORE, that notwithstanding the extension of the phase-out plan, the ministries, offices and agencies of the BTA shall continue the conduct of their hiring processes while taking into account the safety of all concerned by observing all the health security protocols and social distancing measures.

RESOLVED, FINALLY, that the Office of the Chief Minister shall be authorized to promulgate guidelines necessary to carry out this resolution.

Adopted, June 25, 2020.

Certified Correct:


PROF. RABY B. ANGKAL
Secretary General

Attested:


ATTY. ALI PANGALIAN M. BALINDONG
Speaker

/PR254