



Republic of the Philippines
Department of Education
Region VI – Western Visayas
SCHOOLS DIVISION OF CAPIZ
Banica, Roxas City

February 2, 2022

DIVISION MEMORANDUM

No. 053, s. 2023

**REITERATION OF CERTAIN PROVISIONS OF P.D. 1445
KNOWN AS GOVERNMENT CODE OF THE PHILIPPINES AND COA
MEMORANDUM NO. 92-751 DATED FEBRUARY 24, 1992**

To: OIC, Office of the Assistant Schools Division Superintendent
Chief Education Program Supervisors, SGOD & CID
Public Schools District Supervisors
Heads of Public Elementary, Secondary and Integrated Schools

1. This is to reiterate to the field certain provisions of P.D. 1445 known as Government Code of the Philippines to wit:

Section 2: *It is the declared policy of the State that all resources of the government shall be managed, expended or utilized in accordance with law and regulations, and safeguarded against loss or wastage through illegal or improper disposition, with a view to ensuring efficiency, economy and effectiveness in the operations of government. The responsibility to take care that such policy is faithfully adhered to rests directly with the chief or head of the government agency concerned.*

Section 73: *When a loss of government funds or property occurs while they are in transit or the loss is caused by fire, theft, or other casualty or force majeure, the officer accountable therefor or having custody thereof shall immediately notify the Commission or the auditor concerned and, within thirty days or such longer period as the Commission or auditor may in the particular case allow, shall present his application for relief, with the available supporting evidence. Whenever warranted by the evidence credit for the loss shall be allowed. An officer who fails to comply with this requirement shall not be relieved of liability or allowed credit for any loss in the settlement of his accounts.*



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2. Further, attached is the copy of COA Memorandum No. 92-751 dated February 24, 1992 providing guidelines on Documentation on Petitions/Requests for Relief from Accountability.
3. Furthermore, all are advised of the reminders/recommendations contained in COA AOM No. 2023-001, dated January 16, 2023. Please see attached copy.
4. Immediate dissemination of and compliance with this Memorandum are desired.

MIGUEL MAC D. APOSIN EdD, CESO V
Schools Division Superintendent

Encl: As stated
Reference: As stated

POLICY

GUIDELINES

SCHOOL HEADS



Address: Banica, Roxas City
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COMMISSION ON AUDIT MEMORANDUM NO. 92-751 February 24, 1992

TO : All COA Directors/Officers-In-Charge, Department Auditors, Heads of Auditing Units and All Others Concerned.

SUBJECT: Documentation on Petitions/Requests for Relief from Accountability.

Of late, it has been noted that there is an increasing number of cases where some COA Directors/Officers-in-Charge and/or Heads of Auditing Units transmit to the Commission, for final resolution, requests for relief from money or property accountability under Section 73 of P.D. 1445 with incomplete or insufficient documentation. In some instances, even simple jurisdictional requirements, like submission of the request for relief and the requisite notice of loss to the Auditor concerned or to the Commission, as the case may be, which are expected to be regularly accomplished as basic documentation, are observed, almost always, not to have been complied with. For obvious reasons, this situation does not speak well of the efficiency and professional/auditorial competence of those concerned in the evaluation of requests for relief from accountability.

It bears emphasizing that under Section 73 of PD 1445, the application for relief from accountability should be accompanied by "available supporting evidence"; that credit for the loss contemplated therein shall be allowed only "whenever warranted by the evidence"; and that non-compliance with such requirement is a bar to the grant of the relief applied for.

The aforementioned deficiencies have invariably caused delays in the disposition/resolution of the aforesaid requests, thus resulting in the loss of man hours, if not undue embarrassment to the Commission, especially when interested parties come personally to follow-up or inquire about the status of their requests. So, too, such a disturbing situation necessarily results in or contributes to the accumulation of backlogs in the disposition of these cases.

In order, therefore, to ensure or facilitate the evaluation and resolution of applications for relief from accountability with utmost accuracy and dispatch, and if only to correct or put an end to the commission of the afore-cited deficiencies, the COA Director/Officer-in-Charge and/or Unit Head concerned should, henceforth, see that the following requirements are first duly complied with and that the documents called for thereunder accompany the pertinent requests for relief to be submitted to the Commission, to wit:

1. The basic notice of loss to be filed immediately after the discovery of the loss and the request for relief from accountability which should be filed by the proper accountable officer within the reglementary period of 30 days from the occurrence of the loss, with the Auditor concerned or the Commission, as the case may be.
 - 1.1 In case of delay in the filing of the aforesaid notice and request, satisfactory explanation or the reason(s) for such delay should be submitted, after which the reasons/explanation given should be verified or confirmed by the Auditor concerned.

- 1.2 If the occurrence of the loss has also been reported to other police agencies, like the N.B.I., C.I.S., etc., the progress/final investigation report thereon should be submitted.
2. Copy of the Investigation, Inventory and Inspection report of the proper COA personnel on the facts and circumstances surrounding the loss;
3. Affidavit or Sworn Statement of the proper accountable officer on the facts and circumstances surrounding the said loss, supported by the Affidavit of two (2) disinterested persons who have personal knowledge of such fact of loss;
4. Comment and/or recommendation of the Agency Head concerned on the request;
5. Comment and/or recommendation of the COA Director/OIC and/or Unit Head on the propriety of the request, together with a full statement of material facts;
6. Exact or accurate amount of government cash or book value of the property, subject of the request for relief;
7. Memorandum Receipts covering the properties subject of the request, if any; and
8. A categorical determination by the Director/Auditor concerned on the absence of fault or negligence on the part of the accountable officer in the handling, safekeeping, etc. of the funds and properties under his custody as evidenced by a recital of the precautionary/security measures adopted to protect or safeguard them and the like.

Additionally, in case of the following incidents/occurrence:

F I R E :

1. The progress and/or final report of the local Police/Fire Department or Station on the incident;
2. List or inventory of burned or destroyed properties as well as those properties retrieved after the fire, stating therein the acquisition cost/book value of each item, duly verified by the Auditor concerned;
3. Authenticated picture(s) showing the site/office or government properties razed by the fire;
4. Fire insurance policy, if any, covering subject property. If the property is insured, information as to whether or not the Agency concerned has already been paid the proceeds of the said insurance policy should be secured and, if so, evidence to this effect should be submitted. If the property has not been insured, reasons to this effect should be submitted.

THEFT OR ROBBERY/HOLD-UP:

1. Progress and/or Final Police report on the theft or robbery case.
 - 1.1 In cases of theft or robbery including with force upon things (destruction of padlocks, doors, window jalousies, etc.), information as to whether or not the premises of the government Agency or office concerned are manned by security guards. If so, the respective Sworn Statements or Affidavits of the guards respecting the incident should be obtained and submitted.
 - 1.2 A certified copy of the contract of security/services entered into by and between the government office and the security agency should also be submitted.
 - 1.3 If the Security Guard(s) is found to be negligent in the premises, a recommendation to the agency Head should be made that appropriate action be instituted to enforce the civil liability of the security guard and/or security agency concerned.
 - 1.4 In cases of theft or robbery/hold-up of government cash/funds to be deposited with or withdrawn from a depository bank, information as to whether or not the proper accountable officer was escorted by a policeman or security guard should also be submitted. In the negative, explanation to this effect should be submitted.
2. Detailed list of government properties lost or destroyed as well as those properties retrieved after the robbery incident disclosing the book value of each item or exact amount of government money/cash involved, duly verified by the proper Auditor;
3. Authenticated picture(s) taken relative to the robbery or theft incident.

FORCE MAJEURE (EARTHQUAKE, TYPHOONS, ETC.):

1. Detailed list/inventory of lost or destroyed government properties or lost cash, as well as those properties retrieved after the calamity, verified by the Auditor concerned.
2. Certification of the proper official of the local PAGASA or other similar government Agency on the actual occurrence of the calamity specifying therein the approximate or exact time the incident happened and the areas or places affected thereby; and

DEATH OF LARGE CATTLE AND OTHER LIVESTOCK:

1. Certificate of Death of the large cattle issued by the proper official, duly verified by the Auditor concerned; and

2. Autopsy report of the proper Veterinarian, if any.

The COA Directors and/or Officers-in-Charge of the various COA Offices shall see that the provisions of this Memorandum are strictly observed and implemented.

This Memorandum shall take effect immediately.

(SGD.) EUFEMIO C. DOMINGO, Chairman



REPUBLIC OF THE PHILIPPINES
COMMISSION ON AUDIT
NGS, Cluster 5-Education and Employment
Office of the Auditor
Audit Team No. R6-18
DepEd Capiz Province
Banica, Roxas City

AUDIT OBSERVATION MEMORANDUM

AOM No. 2023-001
DATE : January 16, 2023

For: DR. MIGUEL MAC D. APOSIN, CESO V
Schools Division Superintendent
DepEd, Schools Division of Capiz
Banica, Roxas City
Capiz

Attention: ALL SCHOOL PRINCIPALS/SCHOOL HEADS
DepEd, Schools Division of Capiz

1. **Several laptops owned by the schools were lost due to inadequate security measures which is inconsistent with the provisions of Sections 2 and 102 (2) of Presidential Decree (P. D.) No. 1445 otherwise known as the State Audit Code of the Philippines, thus, exposing government assets or properties to possible loss due theft/robbery.**

Section 2 of P.D. 1445 states:

“It is the declared policy of the State that all resources of the government shall be managed, expended or utilized in accordance with law and regulations, and safeguarded against loss or wastage through illegal or improper disposition, with a view to ensuring efficiency, economy and effectiveness in the operations of government. The responsibility to take care that such policy is faithfully adhered to rests directly with the chief or head of the government agency concerned.”

Section 102 (2) of PD 1445 further states:

“Persons entrusted with the possession or custody of the funds or property under the agency head shall be immediately responsible to him without prejudice to the liability of either party to the government.”

Records of this Office for CY 2022 showed that the Audit Team received several requests for Relief from Accountability for laptops issued to various schools in the Province of Capiz that were lost as a result of theft or robbery incident (Annex A). After evaluation of the supporting evidence submitted to the Audit Team, have noted that the schools' facilities



lack adequate security measures such as security personnel and secured storage such as steel cabinets and Closed - Circuit Television (CCTV) which is inconsistent with the provisions of Sections 2 and 102 (2) of P.D. 1445 otherwise known as the State Audit Code of the Philippines.

This condition of having poor or inadequate security measures in safeguarding the government property exposed the government fund or property to risk of misappropriation or loss.

The Principals or Head of the Schools who were victims of the robbery incidents justified that they were not able to hire security personnel and procure secured storage or steel cabinets and even installing of CCTV due to lack of funds of the school for the said purpose/s.

In view of the foregoing, we recommend to Management the following:

- 1. Provide adequate and safe storage for properties such as steel cabinets/drawers to safeguard these assets from various man-made disaster such as theft or robbery to prevent from possible loss;
 - 2. Employ a security personnel and install CCTV to prevent the same theft or robbery incident to recur in the future; and
 3. Henceforth, strictly adhere to Sections 2 and 102 (2) of P.D. 1445 in safeguarding of government's assets.
- 2. Insufficient, incomplete and delayed submission of documentary evidence after the loss of government property inconsistent with the provisions stated in Sections 73 of P.D.1445 and COA Memorandum No. 92-751 dated February 24, 1992, hindered the Audit Team in granting of relief from accountability resulting to loss of man hours of the audit personnel.**

Section 73 of P.D.1445, known as the Government Code of the Philippines requires that:

“When a loss of government funds or property occurs while they are in transit or the loss is caused by fire, theft, or other casualty or force majeure, the officer accountable therefore or having custody thereof shall immediately notify the Commission or the auditor concerned and, within thirty days or such longer period as the Commission or auditor may in the particular case allow, shall present his application for relief, with the available supporting evidence. Whenever warranted by the evidence credit for the loss shall be allowed. An officer who fails to comply with this requirement shall not be relieved of liability or allowed credit for any loss in the settlement of his accounts.”

COA Memorandum No. 92-751 dated February 24, 1992 provides for proper documentation on petitions/requests for Relief from Accountability specifically for the incidents/occurrence of theft or robbery/hold-up, force majeure (earthquake, typhoons, etc.) death of large cattle and other livestock and fire.



Moreover, required documents provided in the said COA Memorandum No. 92-751 must be complied with and submitted to the Commission on Audit together with the pertinent Request for Relief from Accountability.

For CY 2022, after verification and evaluation of the supporting evidence for the submitted requests to the Audit Team for Relief from Accountability for lost laptops issued to various schools in the Province of Capiz (Annex A) as a result of theft or robbery incident, we have noted that there were insufficient, incomplete and delayed submission of basic documentary evidence after the loss of government property which is inconsistent with the provisions stated in Sections 73 of P.D.1445 and COA Memorandum No. 92-751 dated February 24, 1992.

The condition of submitting basic documentary requirements immediately after the loss of government property hindered the Audit Team in granting of immediate relief from accountability resulting to loss of man hours of the audit personnel.

The Principals or Head of the Schools who requested Relief from Accountability justified that they alleged that it is already sufficient that they report the incident first with the Barangay Officials and the Philippine National Police and that they were not able to submit immediately the required supporting evidence for lack of knowledge that the Auditor should also be informed immediately after the loss of the property.

In view of the foregoing, we recommend to Management the following:

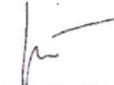
1. The basic notice of loss should be filed immediately after the discovery of the loss and request for relief from accountability which should be filed by the proper accountable officer within the reglementary period of 30 days from the occurrence of the loss with the Auditor concerned or the Commission, and other documentary evidence, as the case may be in compliance with COA Memorandum No. 92-751 dated February 24, 1992, otherwise, they will be suspended or disallowed in audit.
2. The robbery incident should be reported immediately to the proper authority, the City/Municipal/Local Police Station upon discovery of the loss of the government property;
3. The amount of the lost property must be refunded if it can no longer be recovered or if the relief from accountability will not be granted to accountable person/s.
4. Henceforth, strictly adhere to Section 73 of P.D. 1445 and COA Memorandum No. 92-751 dated February 24, 1992 for requesting for relief from money or property accountability.

May we have your comments on the foregoing audit observation within fifteen (15) days from receipt hereof.



COA Signed
2023-01-18
14:48:11


GENEVIE M. ALCAZAR
State Auditor IV
Audit Team Leader



COA Signed
2023-01-19
20:12:48

JONI T. MEÑEZ
State Auditor IV
OIC, Regional Supervising Auditor

Proof of Receipt of AOM No. 2023 – 001 dated January 16, 2023

<u>Name</u>	<u>Position</u>	<u>Received by</u>	<u>Date</u>
 MARIA LOUCELLE BENIANO, RN Administrative Officer II	AO-11		01/20/2023



List of Schools that Applied for Relief from Accountability
DepEd Schools Division of Capiz
For CY 2022

Name of School	Date of the Discovery of Robbery Incident	Date of Notice of Loss Submitted to COA	Government Property Lost	Amount	Remarks
1. Agbalo Elem. School, Panay, Capiz	July 20, 2022 at about 5:00 AM	August 5, 2022	1 Haeir Laptop	₱25,000.00	Relief from Accountability was granted on Sept. 8, 2022
2. Maninang Elem. School, Maninang, Sapián, Capiz	Nov. 30, 2022 at around 10:00 AM	Dec. 22, 2022	3 Laptops (2 Acer and 1 HP)	96,999.00	Relief from Accountability received by the Audit Team on Jan. 11, 2023 was not yet granted pending verification/evaluation of submitted evidence.
3. Benlit Elem. School, Benlit, Sapián, Capiz	Nov. 22, 2022 at about 7:00 in the morning	Dec. 22, 2022	Dell Laptop 4320 with SN 284PPG3	35,000.00	Relief from Accountability received by the Audit Team on Jan. 11, 2023 was not yet granted pending verification/evaluation of submitted evidence.

Prepared by:


 GENEVIE M. ALCAZAR
 State Auditor IV
 Audit Team Leader

