

Republic of the Philippines **COMMISSION ON AUDIT**

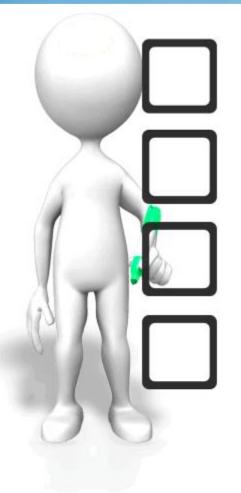
Accounting & Auditing Laws, Rules & Regulations on Government **Expenditures**

Presented by: Atty. Billy Joe Ivan D. Darbin, CPA

PAGBA 2017 3rd Quarter Seminar & Meeting Citystate Asturias Hotel, Puerto Princesa, Palawan October 6, 2017

Session Overview





Fundamental principles, laws and rules in expenditures and disbursements

Prevention of illegal, irregular, excessive, extravagant, unnecessary and unconscionable (IIEEUU) expenditures

AOM, NS, ND & NC, and when issued by the auditors

Remedies available to persons determined liable in disallowances and charges

COA's Mandate





Shall have exclusive authority, to:

- ✓ define the scope of its audit and examination
- ✓ establish the techniques and methods required therefor
- promulgate accounting and auditing rules and regulations, including those for the prevention and disallowance of irregular, unnecessary, excessive, extravagant, or unconscionable expenditures or uses of government funds and properties. [Sec. 2(2), Art. IX-D, 1987 Constitution]

Fundamental Principles

Existence of Appropriation

Completeness of Documents

Expenditures and Disbursements

Compliance with Laws, Rules and Regulations

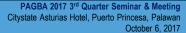
Proper Accounting Treatment

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Disbursement Process







Disbursement Process

Appropriation

Allotment

is an authorization made by law or other legislative enactments of obligations to be incurred and allowing payments to be made with funds of the government under specified conditions and/or specified purposes

is an **authorization** issued by the **DBM** to NGAs to incur obligations for specified amounts contained in a legislative appropriation in the form of budget release documents. It is also referred to as **Obligational Authority**

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Disbursement Process

- act of a duly authorized official which binds the government to the immediate or eventual payment of a sum of money
 - a commitment that encompasses possible future liabilities based on current contractual agreement
 - shall be made through the issuance of Obligation Request and Status (ORS)

- all cash paid out during a given period in currency (cash) or by check/Advice to Debit Account (ADA)
- represents the movement of cash from an AGDB or from the Treasurer/authorized disbursing officer to the final recipient
- it shall be covered by DV/PCV/Payroll

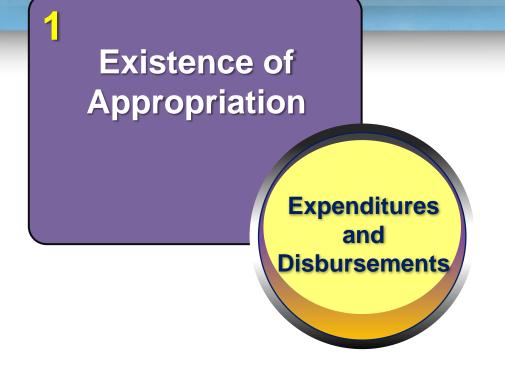
Disbursement

Obligation

(Expenditure)



Fundamental Principles



PAGBA 2017 3rd Quarter Seminar & Meeting Citystate Asturias Hotel, Puerto Princesa, Palawan October 6, 2017



Existence of Appropriation (Legal Provisions)

Sec. 29 (1), Article VI, 1987 Constitution

Sec. 4 (1), PD No. 1445

Sec. 85 (1), PD No. 1445 "No money shall be paid out of the Treasury except in pursuance of an **appropriation** made by law."

"No money shall be paid out of any public treasury of depository except in pursuance of an **appropriation law** or other specific statutory authority."

"No contract xxx shall be entered into unless there is an **appropriation** therefor, the unexpended balance of which, free of other obligations, is **sufficient** to cover the proposed expenditure."



Existence of Appropriation



Trust funds shall be available and may be spent only for the **specific purpose** for which the trust was created or the funds received (Sec. 4(3), PD No. 1445)



Existence of Appropriation

The Chief Accountant shall issue a Certificate of Availability of Funds (CAF)

(Sec. 86, PD 1445; Sec. 40, Chapter 5, Book VI of EO No. 292)



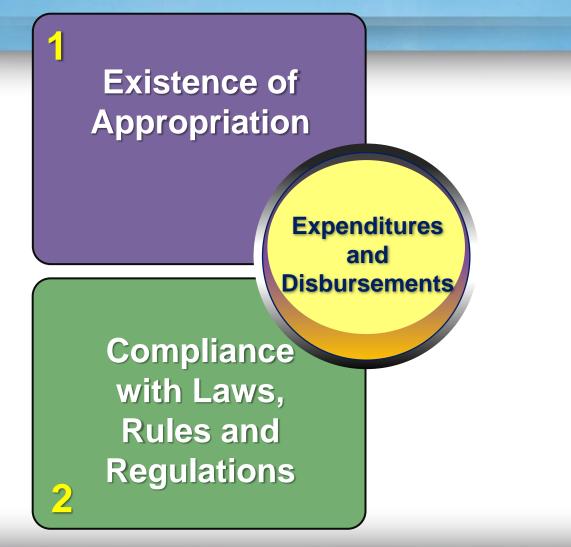
Existence of Appropriation

If NO **Appropriation** and/or **CAF**:

- The contract shall be void (Sec. 87, PD No. 1445)
- Personal liability of contracting officer/s (supra, Sec. 43, Chapter 5, Book VI, EO No. 292)
- Possible commission of <u>technical</u> <u>malversation</u> (Art. 220, RPC)



Fundamental Principles





Limitations on Expenditures under the 2017 GAA (RA No. 10924)

Section 17, General Provisions:

- Purchase of goods, infrastructure projects and consulting services, including common-use supplies, shall be in accordance with RA No. 9184 and its IRR and GPPB guidelines issued thereon.
- Payment of foreign travel expenses of any government official and employee for training, seminar or conference abroad when:
 - the foreign mission cannot effectively represent the Phil.;
 or
 - travels necessitated by authorized international commitments in accordance with EO Nos. 248 and 248-A, s. 1995 as amended by E.O. No. 298, s. 2004; and other guidelines issued thereon.

Limitations on Expenditures under the 2017 GAA (RA No. 10924)

Section 17, General Provisions:

Availability of government vehicles of any type in case of transport crisis, such as those occasioned by street demonstrations, welgang bayan, floods, typhoons and other emergencies.

Purchase of motor vehicles shall be made pursuant to AO No. 233, s. 2008 as amended by AO No. 15, s. 2011, and BC No. 2010-2 dated March 1, 2010 and other guidelines issued by the agencies concerned.



Limitations on Expenditures under the 2017 GAA (RA No. 10924)

Under AO No. 233, as amended, a "luxury vehicle" shall refer to any motor vehicle with the following technical specifications:

Engine Dis	placement	Engine
Gasoline-fed	Diesel-Fed	Cylinders
>2,200 cc	>3,000 cc	>4
>2,000 cc	>2,500 cc	>4
>2,700 cc	>3,000 cc	>4
	Gasoline-fed >2,200 cc >2,000 cc	>2,200 cc >3,000 cc >2,000 cc >2,500 cc



Allowance/Benefit	Legal Basis	Amount/Rate
Personnel Economic Relief Allowance (PERA)	Sec. 48, General Provisions (GP), 2017 GAA; BC No. 2009- 3 dated August 18, 2009	P2,000.00 per month
Representation Allowance and Transportation Allowance (RATA)	Sec. 54, GP, 2017 GAA	 As indicated in Sec. 54, GP, 2017 GAA Rates for officials of LGUs are provided in Local Budget Circular (BC) No. 103 dated May 15, 2013
Extraordinary and Miscellaneous Expenses (EME)	Sec. 42, GP, 2017 GAA	As indicated in Sec. 42, GP, 2017 GAA



Allowance/Benefit	Legal Basis	Amount/Rate
Uniform or Clothing Allowance	Sec. 49, GP, 2017 GAA; BC No. 2012-1 dated February 23, 2012	P5,000.00 per year; may vary
Loyalty Cash Award (LCA)	Omnibus Rules of the CSC; DBM Department Order No. 92-10 dated October 1, 1992; CSC Memorandum Circular	10 th year — P10,000.00 15 th year — 5,000.00 20 th year — 5,000.00 25 th year — 5,000.00 30 th year — 5,000.00 35 th year — 5,000.00 40 th year — 5,000.00



Allowance/Benefit	Legal Basis	Amount/Rate
Travelling Allowances for <u>Domestic</u> Travels	EO Nos. 248 and 248-A, s. 1995, as amended by EO No. 298, s. 2004	 P800.00 per day for travel outside 50 km. radius from Metropolitan Manila or official station P400.00 per day for travel within 50 km. radius from Metropolitan Manila
Travelling Allowances for <u>Foreign</u> Travels	Same	 Daily Subsistence Allowance, which rates are based on United Nations Development Program (UNDP) Index Pre-Departure Expenses — P1,500.00 Clothing Allowance —\$400.00 (suspended indefinitely under Office of the President Memorandum Circular No. 52 dated October 2, 2003) Representation Expenses —\$1,000.00



Allowance/Benefit	Legal Basis	Amount/Rate
Magna Carta Benefits for Public Health Workers	Sec. 50, GP, 2017 GAA; RA No. 7305 and its IRR	 Hazard Allowance - 25% of the monthly basic salary for salary grade 19 and below; 5% for salary grade 20 and above Longevity Pay - 5% of monthly basic pay Subsistence Allowance - 3 meals a day Laundry Allowance - P150.00 per month Medico-Legal Allowance: P200.00 for slight physical injury; P300.00 for less serious physical injury; P500.00 for serious physical injury; P1,000.00 for necropsy; P1,000.00 for autopsy; P600.00 per court appearance; P20,000.00 one time relocation allowance Remote Assignment Allowance - 50% of basic pay



Allowance/Benefit	Legal Basis	Amount/Rate
Magna Carta Benefits for Science and Technology Personnel	Sec. 50, GP, 2017 GAA; RA No. 8439 and its IRR, as amended	 Share in Royalties 60%-40% basis in favor of the Government and the personnel involved in the technology/activity Hazard Allowance — 15% of monthly basic salary for personnel indirectly exposed to hazard; 30% of monthly basic salary for personnel directly exposed to hazard Subsistence Allowance - 3 meals a day or P150.00 per day Laundry Allowance — P500.00/month Housing and Quarters Allowance Longevity Pay - 5% of the monthly basic salary for every 5 years of continuous and meritorious service Medical Examination

Allowance/Benefit	Legal Basis	Amount/Rate
Costume or Uniform, and Other Expenses Related to Cultural and Athletic Activities	Sec. 43, GP, 2017 GAA	Not to exceed P1,500.00 per employee-participant per year
Special Counsel Allowance	Sec. 51, GP, 2017 GAA	P1,500.00 per appearance or attendance to court hearings, but aggregate allowance shall not exceed 50% of the government lawyer's monthly basic salary per month



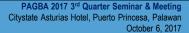
Allowance/BenefitLegal BasisAmount/RateHonorariumSec. 53, GP, 2017 GAA> For lecturers, resource persons, coordinators and facilitators, amount is computed based on			
2017 GAA coordinators and facilitators,	Allowance/Benefit	Legal Basis	Amount/Rate
 formula prescribed in BC No. 2007-1 dated April 23, 2007 ➢ For assignment in government special projects, amount is computed based on the guidelines prescribed in BC No. 2007-2 dated October 1, 2007 	Honorarium		 coordinators and facilitators, amount is computed based on formula prescribed in BC No. 2007-1 dated April 23, 2007 For assignment in government special projects, amount is computed based on the guidelines prescribed in BC No. 2007-2 dated

Allowance/Benefit	Legal Basis	Amount/Rate
Honorarium	Sec. 53, GP, 2017 GAA	For government personnel involved in government procurement, BAC Chair – P3,000; BAC Members, P2,500; TWG Chair and Members – P2,000 (maximum honorarium per successfully completed procurement project) under BC No. 2004-5A dated October 7, 2005, as amended by BC No. 2007-3 dated November 29, 2007



Allowance/Benefit	Legal Basis	Amount/Rate
Honorarium	Sec. 53, GP, 2017 GAA	For ex-officio chairs, vice-chairs and members, and private sector representatives of governing boards of commissions, boards, councils and other similar entities of NGAs and GOCCs, covered by SSL, amount is computed based on guidelines in NBC No. 2007-510 dated May 8, 2007
		Not to exceed 25% of the monthly RATA of the COO (for the chair) or deputy COO (for the vice-chair and member) of the collegial body for every attended meeting but not to exceed 4 paid meetings per month

Allowance/Benefit	Legal Basis	Amount/Rate
Honorarium	Sec. 53, GP, 2017 GAA	 Amount Limitation: Total honoraria received from all special projects shall not exceed 25% of the
		annual basic salaries.



Allowance/Benefit	Legal Basis	Amount/Rate
Hazard Duty Pay	Sec. 52, GP, 2017 GAA and applicable provision of subsequent years' GAAs; DBM BC No. 2005- 4 dated July 13, 2005	Monthly Rates: >1 to 7 days - P400.00 >8 to 14 days - P500.00 >15 or more days - P600.00
Mid-Year and Year- End Bonus and Cash Gift	RA No. 6686, as amended by RA No. 8441; EO No. 201 dated February 19, 2016; BC No. 2016-3 dated April 28, 2016; BC No. 2017-2 dated May 8, 2017	 Mid-Year Bonus - 1 month basic salary Year-End Bonus - 1 month basic salary and Cash Gift of P5,000.00



Allowance/Benefit	Legal Basis	Amount/Rate
Performance-Based Bonus	EO No. 80 s. 2012, and Sec. 4, EO No. 201 s. 2016, DBM Memorandum Circular No. 2017-1 dated March 9, 2017	65%, 57.50% or 50% of the monthly basic salary depending on performance category of delivery unit
Collective Negotiation Agreement (CNA)	Sec. 71, GP, 2017 GAA; Administrative Order No. 135 dated December 27, 2005; Section 3 (b), PSLMC Resolution No. 4, s. 2002 (for NGAs, SUCs and LGUs); and PSLMC Resolution 2, s. 2003 (for GOCCs and GFIs)	Variable, depending on savings generated by reason of cost-saving measures introduced by the CNA

GRANTING, UTILIZATION AND LIQUIDATION OF CASH ADVANCES (CA)

Applicable rules and regulations on CA



COA Circular No. 97-002 dated February 10, 1997 as reiterated in COA Circular No. 2009-002 dated May 18, 2009

Section 89 of PD No. 1445



GRANTING AND UTILIZATION OF CASH ADVANCES (CA)

General Guidelines

No CA shall be given unless for a **legally specific purpose**.

A CA shall be **reported** on as soon as the purpose for which it was given has been served.

No **additional** CA shall be allowed to any official or employee unless the previous CA given to him is first settled or a proper accounting thereof is made. *(Sec. 89, PD No. 1445)*



GRANTING AND UTILIZATION OF CASH ADVANCES

Penalty for violation of Sec. 89, PD No. 1445:

Section 128. *Penal provision.* Any violation of the provisions of Sections xxx, 89, xxx of this Code or any regulation issued by the Commission implementing these sections, shall be punished by a fine not exceeding <u>P1,000.00 or by imprisonment</u> not exceeding 6 months, or both such fine and imprisonment in the discretion of the court.



GRANTING AND UTILIZATION OF CASH ADVANCES (CA)

General Guidelines

Only **permanently appointed officials** shall be designated as disbursing officers. **Elected officials** may be granted a CA only for their <u>official traveling</u> <u>expenses</u>.

Only **duly appointed or designated** disbursing officers may perform disbursing functions. Officers and employees who are given CA for official travel **need not** be designated as Disbursing Officers.



GRANTING AND UTILIZATION OF CASH ADVANCES (CA)

No CA shall be granted for payments on account of **infrastructure projects** or other undertaking on a project basis

General Guidelines

The CA shall be used solely for the **specific legal purpose** for which it was granted; it shall **not** be **used for encashment of checks** or for **liquidation of a previous CA**

Transfer of cash advance from one AO to another shall not be allowed

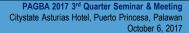


LIQUIDATION OF CASH ADVANCES

Salaries, Wages, etc.	within <u>5 days</u> after each <u>15th day/end</u> of the month pay period
Petty Operating Expenses and Field Operating Expenses	within <u>20 days</u> after the end of the year; subject to replenishment as frequently as necessary during the year
Official Travel	 foreign travel - within <u>60 days</u> after return to the Philippines local travel - within <u>30 days</u> after return to permanent official station

LIQUIDATION OF CASH ADVANCES

Petty Cash Fund (PCF)	as soon as the disbursements reaches 75% or as needed, the PCF shall be replenished which shall be equal to the total amount of expenditures made therefrom
Special Purpose	as <u>soon as the purpose</u> of the cash advance has been served





LIQUIDATION OF CASH ADVANCES

- The accountable officer (AO) shall prepare the **Report of Disbursements** in <u>3 copies</u> and submit the same with duly accomplished vouchers/payrolls and supporting documents to the Accountant.
 - □ For payments based on receipts and invoices only, AO shall also prepare a **liquidation voucher** which shall be submitted with the report and supporting documents to the Accountant.
 - The AO shall ensure that receipt of the report is properly acknowledged by the Accountant.



LIQUIDATION OF CASH ADVANCES (CA)

The AO shall be deemed to have complied with the requirement of proper accounting for the CA upon **receipt by the Accountant** of the liquidation documents.



LIQUIDATION OF CASH ADVANCES (CA)

- Within 10 days after receipt of the report and supporting documents from the AO, the Accountant shall verify the report, record it in the books and submit the same with all the vouchers/payrolls and supporting documents to the Auditor.
 - The CA shall be considered liquidated upon recording by the Accountant in the books of accounts <u>although not yet audited by the COA</u> <u>auditor</u>.



COA Circular No. 2017-001 June 19, 2017

Subject: Reimbursement of expenses of P300.00 or less NEED NOT be supported by official receipts (ORs)

<u>**Reason</u>**: In view of the reduced purchasing power of peso</u>

Exceptions:

- 1. Payment of **fares in PUVs vehicles** issuing receipts such as bus, train, vessel/ship
- 2. Purchases in business establishments issuing receipts.

In lieu of ORs: Submit a certification for expenses P300.00 or less as supporting document

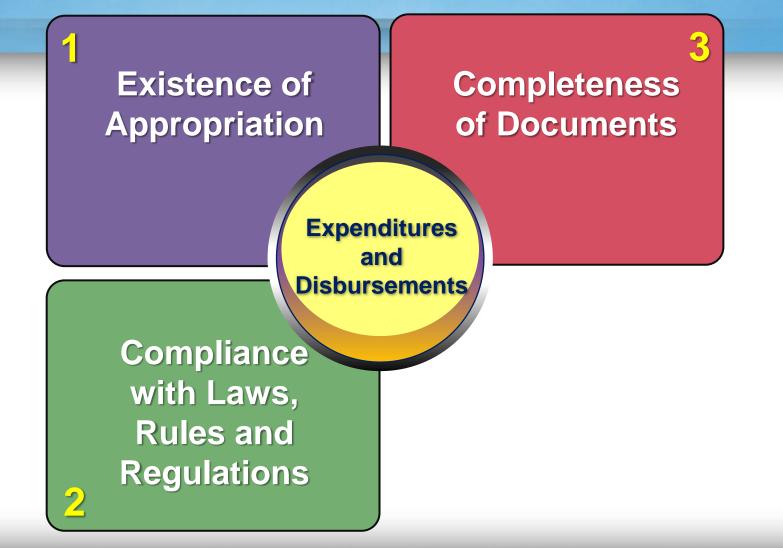


COA Circular No. 2017-001 June 19, 2017

(Agency Name)					
CERTIFICATION OF EXPENSES NOT REQUIRING RECEIPTS Pursuant to COA Circular No.2017-001 dated June 19, 2017					
Name of Employee		Employee No.			
Office	-				
Division					
Particulars			Amoun	t (₽)	
		TOTAL			
Purpose		TOTAL			
I hereby certify that the above expenses are incurred as they are necessary for the above cited purpose, that above goods and services were acquired from parties not issuing receipts. And that I am fully aware that wilful falsification of statements is punishable by law.					
	Certified correct:		Noted by:		
Signature					
Printed Name					
	Employee		Immediate Supervisor		
	Date		Date		

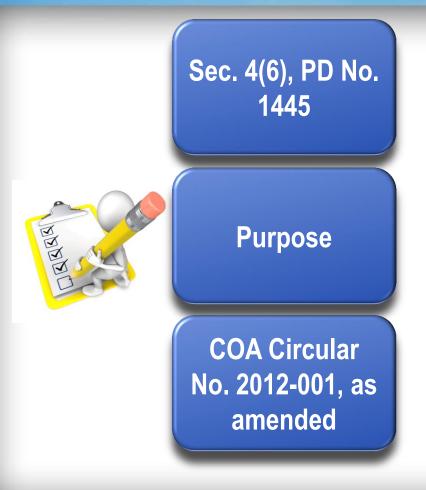


Fundamental Principles





Completeness of Documents



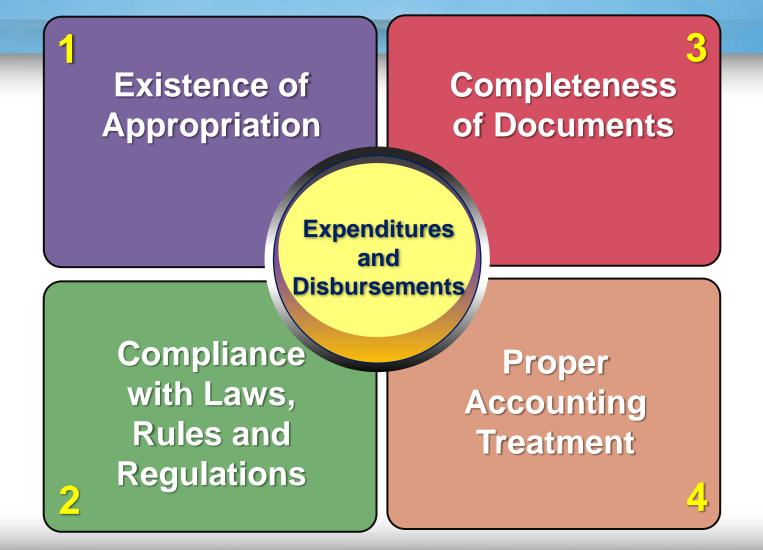
Claims against government funds shall be supported with **complete documentation**."

Evidence to establish **validity** of the claim

Prescribed the **documentary requirements for common government transactions** depending on the nature of expenses to be paid by checks



Fundamental Principles



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Generally accepted principles and practices of accounting as well as of sound management and fiscal administration shall be observed, provided that they do not contravene existing laws and regulations. (Sec. 4(8) of PD No. 1445)



The Government Accounting Manual (GAM) was issued by COA, which presents the basic accounting policies and principles in accordance with the Philippine Public Sector Accounting Standards (PPSAS) adopted thru COA Resolution No. 2014-003 dated January 24, 2014.



The GAM includes the **Revised Chart of Accounts** prescribed under COA Circular No. 2013-002 dated January 30, 2013, as amended; the **accounting procedures**, books, registries, records, forms, reports, and financial statements; and **illustrative accounting entries** to be used by all NGAs in the:

- preparation of the general purpose financial statements in accordance with the PPSAS and other financial reports as may be required by laws, rules and regulations
- reporting of budget, revenue and expenditure in accordance with laws, rules and regulations

□ The GAM is composed of three volumes

Implemented effective January 1, 2016, pursuant to COA Circular No. 2015-007 dated October 22, 2017

It replaces the New Government Accounting System (NGAS) Manual, Volumes I, II and III, prescribed under COA Circular No. 2002-002 dated June 18, 2002



Audit Observation Memorandum (AOM)



Is issued for observation relating to financial/operational deficiencies such as <u>accounting</u>, <u>internal control</u> or <u>property management</u> which do not involve pecuniary loss, including for documentary or other information requirements to enable the auditor to make a decision in audit



Notice of Suspension (NS)

Issued for transactions of **doubtful** Iegality/propriety/regularity which may result in pecuniary loss of the government to obtain further explanation or documentation (temporary disallowance; requirements must be complied within 90 days)



Notice of Disallowance (ND)

The disapproval in audit of transaction, either in whole or in part. The term applies to the audit of **"disbursements"** as distinguished from **"charge"** which applies to the audit of revenues/receipts



Notice of Charge (NC)

Issued on the difference of the following, which are proper audit charge:

- a) Amount assessed/appraised is less than what is due;
- b) Amount **billed** is less than what is due;
- c) Amount **collected** is less than what is due



Audit Decisions

Notice of Disallowance

 illegal, irregular, excessive, extravagant, unnecessary, or unconscionable <u>expenditures</u> (IIEEUU)

Notice of Charge

 amount assessed/billed/ <u>collected</u> is less than what is due the government



IIEEUU EXPENDITURES COA Circular Nos. 85-55A/2009-006/2012-003

ILLEGAL	contrary to law		
IRREGULAR	deviates from established rules, regulations, procedural guidelines, policies, principles or practices that have gained recognition in law		
EXCESSIVE	immoderate, beyond requirements		
EXTRAVAGANT	lavish, luxurious, wasteful		
UNNECESSARY	not essential , not supportive of the objectives of the agency, not prudent		
UNCONSCIONABLE	unreasonable and immoderate ; those incurred in violation of ethical and moral standards		



Remedies of Persons Determined Liable in Disallowances/Charges



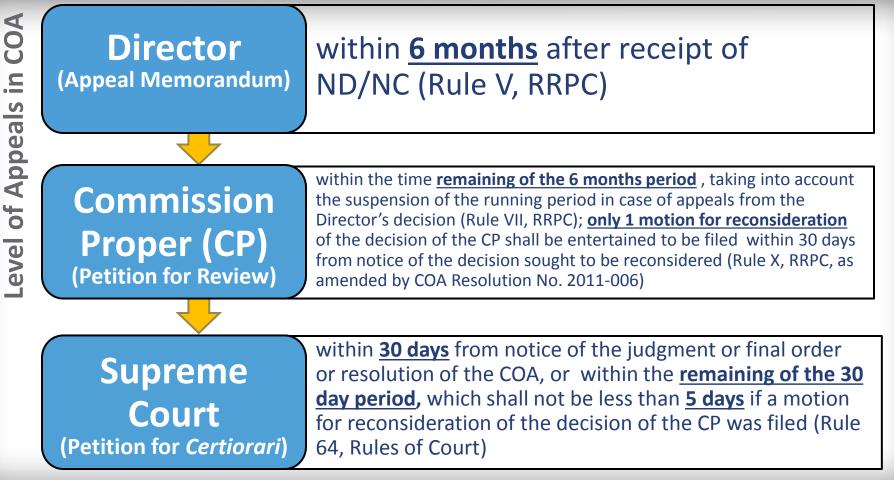
- Any person aggrieved may within <u>6</u> <u>months</u> from receipt of ND/NC appeal in writing
- If not appealed within the prescribed period ND/NC shall become <u>final &</u>

<u>executory</u>

- Filing of an appeal will <u>suspend</u> the running of the prescribed period
- Running of 6 month period shall <u>resume</u> upon receipt of a decision from the Director



Remedies of Persons Determined Liable in Disallowances/Charges







THANK



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