



REPUBLIC OF THE PHILIPPINES

Department of Budget and Management
 Malacañang, Manila

LEGAL OPINION NO. N-B-2001-01

SUBJECT : National Government Budgeting – A.O. No. 100, s. 2000 and A.O. No. 5, s. 2001

ISSUE : Expiration date of Administrative Order (A.O.) No. 100, series of 2000 and the effectivity date of A.O. No. 05, series of 2001.

FACTS : In letter dated 03 May 2001, the Office for Legal Affairs of the Civil Service Commission raised the abovesited issue.

OPINION : The effectivity of A.O. No. 100 expired on 31 December 2000. All date references in the same A.O. pertain only to FY 2000.

On the other hand, A.O. No. 5, issued on 28 February 2001, entitled "ADOPTION OF FISCAL DISCIPLINE MEASURES IN THE PUBLIC SECTOR FOR FY 2001", took effect on 17 April 2001, fifteen (15) days after its publication in the Official Gazette.

This is consistent with the Supreme Court ruling in the case of Umali vs. Estanislao (GR No. 104037, 29 May 1992), which provided that, "Inasmuch as R.A. 6965 has no specific date for its effectivity and neither can it become effective upon its approval notwithstanding its express statement, following Article 2 of the Civil Code and the doctrine enunciated in Tañada, supra, R.A. 6965 took effect fifteen days after September 20, 1990, or specifically, on October 05, 1990."

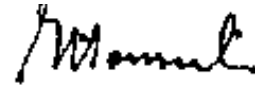
REFERENCE: Letter dated 20 August 2001 to Atty. Florencio P. Gabriel, Jr.

Recommended:

Approved:



JANET B. ABUEL
Director, LLS



EMILIA T. BONCODIN
Secretary