



Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
Manila

VNA-DC-\_\_\_\_\_

**DEPARTMENT CIRCULAR NO.**

**062**

**TO : PROSECUTORS IN THE NATIONAL PROSECUTION SERVICE WITH THE RANKS OF PROSECUTOR GENERAL, PROSECUTORS V, IV, III, II AND I**

**SUBJECT : IMPLEMENTING GUIDELINES FOR THE AVAILMENT OF THE ANNUAL THIRTY (30) DAYS FORFEITABLE LEAVE**

**DATE : DEC 21 2017**

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Pursuant to Sections 14 and 16 of Republic Act No. 10071 (Prosecution Service Act of 2010), Prosecutors in the National Prosecution Service (NPS) with the ranks of Prosecutor General, Prosecutors V, IV, III, II and I shall have the same qualifications for appointment, rank, category, prerogatives, salary grade, and salaries, allowances, and emoluments and other privileges, and shall enjoy the same retirement and other benefits as those of the Presiding Justice of the Court of Appeals (CA), Associate Justices of CA, Judges of the Regional Trial Court, (RTC), Judges of the Metropolitan Trial Court (MetTC), Judges of the Municipal Trial Court in Cities (MTCC), Judges of the Municipal Trial Court in Municipalities (MTCM), respectively.

Under existing laws, the Presiding Justice and Associate Justices of the Court of Appeals (CA) as well as Judges of the RTC, MetTC, MTCC and MTCM are entitled to annual thirty (30) days forfeitable leave benefit with pay, in addition to the fifteen (15) days vacation leave and fifteen (15) days sick leave privileges. As such, Prosecutors in the NPS with the same judicial ranks shall also enjoy the same annual thirty-day forfeitable leave privilege consistent with Sections 14 and 16 of R.A. No. 10071.

Wherefore, the following guidelines shall be observed in availing of the annual 30 days forfeitable leave benefits in the NPS, viz:

1. The annual 30 days forfeitable leave shall apply to the Prosecutors in the NPS with the ranks of Prosecutor General, and Prosecutors V, IV, III, II and I.
2. In addition to the 15 days vacation leave and fifteen 15 days sick leave privileges provided by law, Prosecutors with the ranks of Prosecutor

General and Prosecutors V, IV, III, II and I shall earn thirty (30) days forfeitable leave credits with pay starting January 2018.

3. The forfeitable leave can be availed of from January 1 up to December 31 exclusive of Saturdays, Sundays and Holidays.
4. The newly appointed Prosecutors should render service for at least three (3) months before they can avail of the forfeitable leave.
5. Newly appointed Prosecutors and who assumed their duties before January of the year shall be entitled to thirty (30) days forfeitable leave; those appointed in February shall be entitled to 27.5 days forfeitable leave; those appointed in March shall be entitled to 25 days forfeitable leave; those appointed in April shall be entitled to 22.5 forfeitable leave; and so on, with the decrease of 2.5 days every month until the end of the year.
6. The respective heads of prosecution offices concerned shall submit the Schedule of Leave of their prosecutors to the Leave Section within fifteen (15) days before the beginning of each year.
7. Prosecutors with the ranks of Prosecutor General and Prosecutors V, IV III, II and I shall no longer be entitled to Special Leave Privileges pursuant to Section 21, Rule XVI of the Omnibus Rules on Leave; and
8. This forfeitable leave privilege given annually to the Prosecutor General and Prosecutors V, IV, III, II and I is non-cumulative and non-convertible to cash.

Please be guided accordingly.

**VITALIANO N. AGUIRRE II**

*Secretary*

Department of Justice  
CN : 0201712164



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The Commissioner  
Civil Service Commission  
Batasan Hills, Quezon City