



ASSOCIATION OF GOVERNMENT ACCOUNTANTS OF THE PHILIPPINES, INC.
DBM Bldg. II General Solano St., San Miguel, Manila

05 May 2022

To: **All AGAP Officers and Members**

Subject: **GUIDELINES ON THE LEGAL FINANCIAL ASSISTANCE FOR
GOVERNMENT ACCOUNTANTS IN DISTRESS (A-AID)**

1.0 Background and Rationale:

One of the purposes of the AGAP under its Articles of Incorporation is to promote better understanding, mutual assistance and cooperation among its members in all matters pertaining to the accounting services and safeguard common interest and welfare of its members.

The Board of Trustees has recognized that the AGAP members being in the public financial sector involves risks and sometimes lead to legal cases against government accountants and those in the public finance service. Towards this end, the Board approves through Resolution No. 01, S. 2019 the AGAP Assistance for Accountants in Distress (A-AID).

2.0 Definition of Terms:

For the purpose of this guidelines, the following terms are defined as such:

2.1. *Government Accountant*- Refers to an individual or person performing accounting, budgeting, auditing, cashiering and other allied financial and procurement functions.

2.2. *Active member in AGAP* – Refers to member who attended at least one (1) convention for the last five (5) years, had lifetime membership or paid annual dues and are incumbent to the position.

2.4. *Charge*- Refers to a formal accusation of administrative, civil or criminal case/s.

2.5. *Claimant*- Refers to a qualified member who claims the financial assistance.

2.6. *Financial Assistance*- Refers to a type of monetary help or aid given to a qualified member.

3.0 Coverage:

This guideline shall cover all AGAP members, accountants and those in the public financial service who face lawsuits, such as administrative, criminal and civil cases, to cover their legal defense expense such as attorneys' fees, transportation, supplies and other related expenses in relation to their work and functions in accounting, logistics and financial services.

4.0 Eligibility:

The eligibility criteria under the A-AID program are as follows:

- 4.1 Applicant is an active member of the AGAP for not less than two (2) years;
- 4.2 Applicant has participated in the least one (1) AGAP convention and/or training/seminar for the last five (5) years;
- 4.3 Applicant is an incumbent or separated government employee with plantilla position. Separated government employee with plantilla position may be eligible provided that the separation arose from a case under the immediately preceding criterion;
- 4.4 The administrative, civil or criminal case arose from the performance of the claimant's responsibilities and functions as an accountant or in the financial service; and
- 4.5 The case is filed before the Ombudsman, Sandiganbayan, any court or those under the supervision of the Supreme Court.

5.0 Specific Guidelines:

- 5.1 The claim shall be in a form of provision for legal aid through lawyer/s of member's choice, or lawyer/s to be engaged by the AGAP for the case or financial assistance to cover expenses incurred by eligible member in relation to their legal defense.

- 5.2 The processing of the financial assistance shall be on a first come, first serve basis.
- 5.3 The individual financial assistance to eligible members under the A-AID shall be on reimbursement basis. The amount of financial assistance shall be based on the actual receipts presented or a maximum amount of P50,000.00 for the duration of the case, whichever is lower.
- 5.4 Types of eligible legal expenses shall include but not limited to bail bond, photocopying expenses of documents (e.g., certifications, transcript or stenographic notes), and lawyers' fees (acceptance, appearance fees and for preparation of pleadings and motions).

6.0 Specific Procedures:

- 6.1 Applicant must submit the following documents:
- (a) Letter Request addressed to the AGAP Board of Trustees, DBM Building 2, Gen. Solano St., San Miguel, Manila.
 - (b) Photocopies of the following documents:
 - a. Charge Sheet/Complaint/Information supported by Declaration of Pendency Case as per Annex "A"
 - b. AGAP Membership Card or Certificate of Membership
 - c. Certificate/s of Attendance to the AGAP Convention/s and/or trainings/workshop
 - (c) Original copy of the Official Receipts (OR) of Legal Expenses
- 6.2 The application shall be initially assessed by the Committee on Membership to determine the membership eligibility of applicant/s.
- 6.3 The Committee on Membership shall then forward the application to the Committee on Corporate Social Responsibility (CSR) for the determination of the availability of funds and review of the supporting documents. The Committee on CSR may request the Applicant to present the original copy to check the completeness and validity of the required documents and the information provided. The Committee may conduct further verification of requirements through phone calls or interviews should there be doubts on the validity of the submitted documents.
- 6.4 Subsequently, the Committee on CSR shall endorse and present the application for approval of the Board.


7.0 Budgetary Requirements:

For the initial implementation of the program, the budgetary allocation detailed below:

No. of qualified members to be given assistance	10
Maximum assistance per qualified member	P50,000
Total Budget Allocation	P500,000

AGAP shall allocate yearly the amount of FIVE HUNDRED THOUSAND PESOS (P500,000.00) for the financial assistance. The unutilized fund at the end of the year shall accrue to AGAP fund.

For information, guidance and compliance.


USEC. TINA ROSE MARIE L. CANDIA
President
Date: _____

Annex "A"

DECLARATION OF PENDENCY CASE

I, _____, Filipino of legal age, with permanent _____ address _____ at _____, and holder of the _____ position _____

_____ at the _____, after being sworn in accordance with law, hereby depose and state that:

1. I am applying for the AGAP Assistance for Accountants in Distress
2. I have a pending case administrative disciplinary case criminal case civil case
3. The NATURE/SPECIFIC OFFENSE CHARGED in the pending case is :

4. The venue of the investigation/trial:

5. On appeal: YES NO
6. The appeal is pending before:

7. I am executing this Declaration of Pendency of Case to attest to the truth of the foregoing facts in relation to my application for A-AID.
8. By executing this Declaration of Pendency of Case, I hereby authorize AGAP to verify the status of any case(s) filed against me in any forum.
9. Further, I am executing this Declaration of Pendency / Non-Pendency of Case under pain of criminal and/or administrative liability under existing laws.

Signature over printed name/Date of the Applicant