Pursuant to Career Executive Service Board (CESB) Resolution No. 559, Series of 2004, the CESB amends in part the Revised Policy on CES Eligibility (CESB Resolution No. 459, Series of 2002) specially Sections 3, 4 and 5 which treat of the rules on applicants for CES Eligibility with pending criminal and/or administrative cases.

As a general rule, an applicant, notwithstanding that he/she has a pending administrative or criminal case, may be conferred CES Eligibility by the Board upon completion of the four-stage CES Eligibility Examination process.

However, in case the pending administrative case of an applicant involves grave offenses of graft and corruption and/or sexual harassment, the Board shall exert effort to manifest to the quasi-judicial body or agency where the administrative complaint is filed, the speedy disposition of the case possibly within 6 months reckoned from receipt of the written manifestation sent by the Board.

In case the 6 month period shall lapse without the administrative case being resolved, the Board shall proceed with the conferment of CES Eligibility. The Board, however, reserves the right to cancel the said CES Eligibility should the final judgment carry the penalty of dismissal from the government service.

In case a final resolution has been rendered by the quasi-judicial body or agency within the 6 month period with a finding that the applicant is guilty of the offense/s charged against him/her, the applicant concerned shall not be conferred CES Eligibility if the penalty involved is dismissal from the government service, or in cases of penalty other than dismissal, until he/she shall have served his/her penalty, notwithstanding the filing of motion for reconsideration or appeal, as the case may be, by the party adversely affected.

On the other hand, an applicant with a pending criminal case shall not be conferred CES eligibility if his/her case falls under any of the following circumstances:

a) The pending criminal case involves graft and corruption and/or sexual harassment;

b) Other criminal offenses whether defined under the Revised Penal Code or Special Laws which carries with it the following imposable penalties:
   1) Reclusion Temporal or 12 years and 1 day to 20 years imprisonment or its equivalent;
   2) Reclusion Perpetua or 20 years and 1 day to 40 years imprisonment or its equivalent; and
   3) Death.

The Board shall order the revocation of the CES Eligibility of one who is found guilty by final judgment in any of the foregoing situations and in cases where the accessory penalty carries with it the perpetual disqualification from holding public office.