

Republic of the Philippines
Department of Science and Technology



PHILIPPINE NUCLEAR RESEARCH INSTITUTE

29 October 2018

PNRI SPECIAL ORDER No. 991
Series of 2018

SUBJECT : PNRI Review and Compliance Committee

In the interest of the service and in compliance with Memorandum Circular No. 2018-1 dated May 28, 2018 issued by the Interagency Task Force (IATF) on the harmonization of national government performance monitoring, information and reporting, the following PNRI officials and employees are hereby designated as Chairperson, Members and Secretariat of the PNRI Review and Compliance Committee (RCC):

Chairperson	-	Gerald D. Conise, OIC, FAD
Vice-Chairperson	-	Maria Celerina M. Ramiro, Head, Planning Section
Members	-	Lucille V. Abad, Ph.D., Chief, ARD Preciosa Corazon B. Pabroa, Ph.D., Chief, NSD Ana Elena V. Conjares, MSc., Chief, TDD. Vangeline K. Parami, Head, LRES PNRIEU Representative
Secretariat	-	Human Resource Management & Records and Communication Section (HRMRCS)

You shall be guided by the following issuances CSC Memorandum Circular No. 2, s. 2015, CSC Memorandum Circular No. 3, s. 2013, CSC Memorandum Circular No. 10 dated April 17, 2006 and Rules Implementing The Code of Conduct and Ethical Standards for Public Officials and Employees in the performance of your duties.

This Order shall take effect immediately.


CARLO A. ARCILLA, Ph.D.
Director



MC No. 03, s. 2015

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES;
DEPARTMENTS; BUREAUS AND AGENCIES OF
THE NATIONAL GOVERNMENT; LOCAL
GOVERNMENT UNITS, GOVERNMENT OWNED OR
CONTROLLED CORPORATIONS; AND STATE
COLLEGES AND UNIVERSITIES

SUBJECT : Amendment to CSC Memorandum Circular No. 2, s.
2013 (Revised Statement of Assets, Liabilities and Net
Worth [SALN] Form)

Pursuant to CSC Resolution No. 13-00173 dated January 24, 2013, the Commission adopted the revised form of the Statement of Assets, Liabilities and Net Worth (SALN) for year 2012 and onwards and prescribed the corresponding Guidelines in Filling Out the SALN Form.

Under the present structure of the Philippine government, there are certain agencies, offices or corporations that are not identified under Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees. This circumstance brought confusion among agencies, offices as well as public officers and employees as to where their SALNs should be filed or transmitted. Thus, the Commission recognized the need to clarify the proper agencies or offices where particular public officers and employees should file their respective SALNs.

Furthermore, there is also the need to clarify the required disclosure of real property with regard to its location in keeping with the true mandate of public disclosure and transparency.

Thus, the Commission promulgated CSC Resolution No. 1500088 dated January 23, 2015 which adopted the attached Revised SALN Form and the following amendments in the Guidelines in the Filling Out of the SALN Form Beginning CY 2012 (CSC MC No. 10, s. 2013) and CSC Resolution No. 060231 dated February 1, 2006 (CSC MC No. 10, s. 2006):

In a R. A. C. E. to Serve: Responsive, Accessible, Courteous and Effective Public Service

"1. Paragraph B(2)(e) of the Guidelines in the Filling Out of the SALN Form beginning 2012 (Guidelines) is hereby amended to read as follows:

"e. Declaration of real properties shall include its description, kind, exact location, year and mode of acquisition, assessed value, fair market value, acquisition cost of land, building, etc. including improvements thereon.

"2. Section 5 of CSC Resolution No. 060231 dated February 1, 2006 in relation to paragraph B(7) – Review and Compliance Committee of the Guidelines is hereby amended to read as follows:

"Section 5. Transmittal of all submitted SALNs to the concerned agencies on or before June 30.

"The Chief/Head of the Personnel/Administrative Division or Unit/Human Resource Management Office (HRMO) shall transmit all original copies of the SALNs received, on or before June 30 of every year, to the concerned offices, as specified below:

REPOSITORY AGENCY	OFFICERS AND EMPLOYEES
National Office of the Ombudsman	President Vice President Constitutional Officials - Chairpersons of Commission on Audit (COA), Commission on Election (COMELEC) and Civil Service Commission (CSC) - Commissioners of COA, COMELEC and CSC - Ombudsman and his Deputies
Secretary of the Senate	Senators
Secretary of the House of Representatives	Representatives (Congressmen/Congresswomen)
Clerk of Court of the Supreme Court	Justices of the Supreme Court, Court of Appeals, Sandiganbayan and Court of Tax Appeals
Court Administrator	Judges of the Regional Trial Court, Metropolitan Trial Court,

	<i>Municipal Trial Court in Cities, Municipal Trial Court, Municipal Circuit Trial Court, and Shari'a District Courts</i>
<i>Office of the President</i>	<p><i>National executive officials, including, but not limited to the following:</i></p> <ul style="list-style-type: none"> - <i>Members of the Cabinet;</i> - <i>Undersecretaries;</i> - <i>Assistant Secretaries;</i> - <i>Officials in the Foreign Service and;</i> - <i>Heads of government owned or controlled corporations with original charters and their subsidiaries and</i> - <i>Heads of state colleges and universities</i> <p><i>Officers of the Armed Forces of the Philippines from the rank of Colonel or Naval Captain</i></p> <ul style="list-style-type: none"> - <i>Colonel, Brigadier General, Major General, Lieutenant General and General (Army and Air Force)</i> - <i>Captain, Commodore, Rear Admiral, Vice Admiral and Admiral (Navy)</i> <p><i>Officers of the Philippine National Police from the rank of Senior Superintendent</i></p> <ul style="list-style-type: none"> - <i>Chief Superintendent, Director, Deputy Director General and Director General</i> <p><i>Officers of the Philippine Coast Guard from the rank of Commodore</i></p> <ul style="list-style-type: none"> - <i>Commodore, Rear Admiral, Vice Admiral and Admiral</i>
<i>Deputy Ombudsman in their respective region (Luzon,</i>	<i>Regional officials and employees of the following offices:</i>

X-----X

<p><i>Visayas or Mindanao)</i></p>	<ul style="list-style-type: none"> - Departments, bureaus and agencies of the National Government - Judiciary and Constitutional Commissions and offices - Government owned and/or controlled corporations with and without original charter, and their subsidiaries in the regions - State colleges and universities <p>Provincial elective officials and employees including Governors, Vice-Governors and Sangguniang Panlalawigan Members</p> <p>City and municipal elective officials and employees including Mayors, Vice-Mayors, Sangguniang Bayan / Panlungsod Members and Barangay Officials</p> <p>Officers of the Armed Forces of the Philippines (AFP) below the rank of colonel or naval captain</p> <ul style="list-style-type: none"> - Lieutenant Colonel, Major, Captain, 1st Lieutenant and 2nd Lieutenant (Army and Air Force) - Commander, Lieutenant Commander, Lieutenant Senior Grade, Lieutenant Junior Grade and Ensign (Navy) - Other enlisted officers <p>Officers of the Philippine National Police (PNP) below the rank of Senior Superintendent</p> <ul style="list-style-type: none"> - Superintendent, Chief Inspector, Senior Inspector and Inspector - Other police officers <p>Officers of the Philippine Coast</p>
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x-----x

	<p><i>Guard (PCG) below the rank of Commodore</i></p> <ul style="list-style-type: none"> - Captain, Commander, Lieutenant Commander, Lieutenant, Lieutenant Junior Grade and Ensign
<i>Civil Service Commission</i>	<p><i>All other officials and employees in the central/main/national offices of the following:</i></p> <ul style="list-style-type: none"> - Departments, bureaus and agencies of the National Government - Judiciary and Constitutional Commissions and offices - Government owned and/or controlled corporations with and without original charters, and their subsidiaries in the regions <p><i>All other appointive officials and employees of the Legislature</i></p> <p><i>All civilian personnel of the AFP</i></p> <p><i>All other central officers (uniformed personnel) below the rank of Senior Superintendent as well as all non-uniformed personnel of the PNP</i></p> <p><i>All other central officers below the rank of Commodore as well as all civilian personnel of the PCG</i></p>

The foregoing amendments shall be prospective in application and shall take effect after fifteen (15) days from its publication in a newspaper of general circulation.

Public officials and employees who have filed or will file their SALNs in compliance with CSC Resolution No. 1300173 dated January 24, 2013 (CSC Memorandum Circular No. 2, s. 2013) prior to the effectivity date of these amendments shall be considered to have substantially complied with the filing of the SALNs for the year 2014. However, public officials and employees who will file their SALNs after the effectivity date of these amendments are mandated to strictly comply with the disclosure of exact location and the use of the attached Revised SALN Form.

Quezon City.


ROBERT S. MARTINEZ
Acting Chairman

February 17, 2015

SWORN STATEMENT OF ASSETS, LIABILITIES AND NET WORTH

As of _____
 (Required by R.A. 6713)

Note: Husband and wife who are both public officials and employees may file the required statements jointly or separately.

☐ Joint Filing
 ☐ Separate Filing
 ☐ Not Applicable

DECLARANT:

(Family Name) (First Name) (M.I.)

ADDRESS:

POSITION:

AGENCY/OFFICE:

OFFICE ADDRESS:

SPOUSE:

(Family Name) (First Name) (M.I.)

POSITION:

AGENCY/OFFICE:

OFFICE ADDRESS:

UNMARRIED CHILDREN BELOW EIGHTEEN (18) YEARS OF AGE LIVING IN DECLARANT'S HOUSEHOLD

NAME	DATE OF BIRTH	AGE

ASSETS, LIABILITIES AND NETWORTH

(Including those of the spouse and unmarried children below eighteen (18) years of age living in declarant's household)

1. ASSETS

a. Real Properties*

DESCRIPTION (e.g. lot, house and improvements and accessories)	LOCATION (e.g. lot, house and improvements and accessories)	ACQUIRED DATE	ACQUIRED VALUE	ACQUIRED DATE	ACQUIRED VALUE	ACQUIRED DATE	ACQUIRED VALUE

Subtotal: _____

b. Personal Properties*

DESCRIPTION	YEAR ACQUIRED	ACQUIRED COST/AMOUNT

Subtotal: _____

TOTAL ASSETS (a+b): _____

2. LIABILITIES*

NATURE OF DEBT	NAME OF CREDITOR	OUTSTANDING BALANCE

TOTAL LIABILITIES: _____

NET WORTH : Total Assets less Total Liabilities = _____

* Additional sheet/s may be used, if necessary.

BUSINESS INTERESTS AND FINANCIAL CONNECTIONS

(of Declarant /Declarant's spouse/ Unmarried Children Below Eighteen (18) years of Age Living in Declarant's Household)

☐ I/ We do not have any business interest or financial connection.

NAME OF ENTITY/BUSINESS ENTERPRISE	ADDRESS	NATURE OF BUSINESS INTEREST OR FINANCIAL CONNECTION	DATE OF ACQUISITION OF INTEREST OR CONNECTION

RELATIVES IN THE GOVERNMENT SERVICE

(Within the Fourth Degree of Consanguinity or Affinity. Include also Bilas, Balae and Inso)

☐ I/ We do not know of any relative/s in the government service)

NAME OF RELATIVE	ADDRESS	POSITION	NAME OF AGENCY/OFFICE AND ADDRESS

I hereby certify that these are true and correct statements of my assets, liabilities, net worth, business interests and financial connections, including those of my spouse and unmarried children below eighteen (18) years of age living in my household, and that to the best of my knowledge, the above-enumerated are names of my relatives in the government within the fourth civil degree of consanguinity or affinity.

I hereby authorize the Ombudsman or his/her duly authorized representative to obtain and secure from all appropriate government agencies, including the Bureau of Internal Revenue such documents that may show my assets, liabilities, net worth, business interests and financial connections, to include those of my spouse and unmarried children below 18 years of age living with me in my household covering previous years to include the year I first assumed office in government.

Date: _____

(Signature of Declarant)

(Signature of Co-Declarant/Spouse)

Government Issued ID: _____
ID No.: _____
Date Issued: _____

Government Issued ID: _____
ID No.: _____
Date Issued: _____

SUBSCRIBED AND SWORN to before me this ____ day of _____, affiant exhibiting to me the above-stated government issued identification card.

SWORN STATEMENT OF ASSETS, LIABILITIES AND NET WORTH

As of _____
(Sample additional sheet/s for the declarant)

NAME: _____ POSITION: _____
(Family Name) (First Name) (M.I.) AGENCY/OFFICE: _____

ASSETS, LIABILITIES AND NET WORTH

1. ASSETS

a. Real Properties

DESCRIPTION (e.g., house and lot, condominium, and improvements)	LAND (e.g., residential, agricultural, and mixed)	EXACT LOCATION	ASSESSED VALUE (Assessed in the last assessment year)	CURRENT MARKET VALUE	ACQUISITION COST	ACQUISITION DATE

Subtotal: _____

b. Personal Properties

DESCRIPTION	ACQUISITION DATE	ACQUISITION COST

Subtotal: _____

TOTAL ASSETS (a+b): _____

2. LIABILITIES

NATURE	NAME OF CREDITORS	OUTSTANDING BALANCE

TOTAL LIABILITIES: _____

BUSINESS INTERESTS AND FINANCIAL CONNECTIONS

NAME OF ENTITY/BUSINESS ENTERPRISE	BUSINESS ADDRESS	NATURE OF BUSINESS INTEREST/ OR FINANCIAL CONNECTION	DATE OF ACQUISITION OF INTEREST OR CONNECTION

SWORN STATEMENT OF ASSETS, LIABILITIES AND NET WORTH

As of _____

(Sample additional sheet/s for the exclusive properties of the declarant's spouse and unmarried children below eighteen (18) years of age living in declarant's household)

NAME:

(Family Name) (First Name) (M.I.)

POSITION:

AGENCY/OFFICE:

ASSETS, LIABILITIES AND NET WORTH

1. ASSETS

a. Real Properties

DESCRIPTION (Include deed, mortgage, lease, etc.)	ADDRESS (Include lot, block, subdivision, etc.)	LOCATION	VALUE (As of date of acquisition)	YEAR ACQUIRED	MODE	ACQUISITION COST/AMOUNT

b. Personal Properties

DESCRIPTION	YEAR ACQUIRED	ACQUISITION COST/AMOUNT

2. LIABILITIES

NATURE	NAME OF CREDITORS	OUTSTANDING BALANCE

BUSINESS INTERESTS AND FINANCIAL CONNECTIONS

NAME OF ENTITY/BUSINESS ENTERPRISE	BUSINESS ADDRESS	NATURE OF BUSINESS INTEREST OR FINANCIAL CONNECTION	DATE OF ACQUISITION OF INTEREST OR CONNECTION



MC No. 3, s. 2013

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES;
DEPARTMENTS, BUREAUS AND AGENCIES OF THE
NATIONAL GOVERNMENT; LOCAL GOVERNMENT
UNITS, GOVERNMENT OWNED OR CONTROLLED
CORPORATIONS; AND STATE COLLEGES AND
UNIVERSITIES

SUBJECT : Amendment to the Review and Compliance Procedure in the
Filing and Submission of the Statement of Assets, Liabilities
and Net Worth and Disclosure of Business Interests
and Financial Conditions (CSC Memorandum Circular No.
10 dated April 17, 2006)

The Commission recently constituted a Technical Working Group (TWG) composed of representatives of different government agencies and public sector unions to review the Statement of Assets, Liabilities and Networth (SALN).

During the last meeting, the SALN-TWG agreed that there is a need to amend CSC Resolution No. 06-0231 dated February 1, 2006 as circularized in CSC Memorandum Circular No. 10 dated April 17, 2006 (Review and Compliance Procedure in the Filing and Submission of the Statement of Assets, Liabilities and Networth and Disclosure of Business Interests and Financial Conditions).

In line with this agreement, the Commission promulgated CSC Resolution No. 1300174 dated January 24, 2013 which amended Sections 3 and 4 of CSC Resolution No. 06-0231 dated February 1, 2006 and CSC Memorandum Circular No. 10 dated April 17, 2006 and now reads, as follows:

"Section 3. Ministerial Duty of the Head of Office to Issue Compliance Order.

"Within five (5) days from receipt of the aforementioned list and recommendation, it shall be the ministerial duty of the Head of Office to issue an order requiring those who have incomplete data in their SALN to correct/supply the desired information and those who did not file/submit

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their SALNs to comply within a non-extendible period of thirty (30) days from receipt of the said Order."

"Section 4. Sanction for Failure to Comply/Issuance of a Show Cause Order.

Failure of an official or employee to correct/submit his/her SALN in accordance with the procedure and within the given period pursuant to the directive in Section 3 hereof shall be a ground for disciplinary action. The Head of Office shall issue a show-cause order directing the official or employee concerned to submit his/her comment or counter-affidavit; and if the evidence so warrants, proceed with the conduct of the administrative proceedings pursuant to the Revised Rules on Administrative Cases in the Civil Service (RRACCS), CSC Resolution No. 1101502 dated November 8, 2011. The offense of failure to file SALN is punishable under Section 46 (D)(8) of Rule X thereof, with the following penalties:

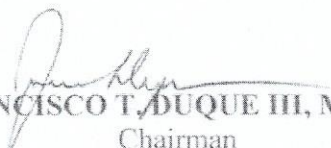
First Offense - Suspension of one (1) month and one (1) day to six (6) months

Second Offense - Dismissal from the service

"Public officials and employees who fail to comply within the thirty (30) day period required under Section 3 hereof or who submit their SALNs beyond the said period shall be considered as not having filed their SALNs, and shall be made liable for the offense of Failure to File SALN with a penalty of suspension of one (1) month and one (1) day to six (6) months for the first offense, and dismissal from the service for the second offense.

"Heads of agencies/offices who fail to comply with the provisions of CSC Resolution No. 06-231 dated February 1, 2006, as amended, shall be liable for Simple Neglect of Duty, which shall be punishable by suspension of one (1) month and one (1) day to six (6) months for the first offense, and dismissal from the service for the second offense."

All rules, regulations and issuances which are inconsistent herewith are hereby repealed, amended or modified accordingly.


FRANCISCO T. DUQUE III, MD, MSc
Chairman

January 24, 2013

MC No. 10, s. 2006

MEMORANDUM CIRCULAR

TO : ALL HEADS OF DEPARTMENTS, BUREAUS, OFFICES AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENTS; STATE COLLEGES AND UNIVERSITIES, INCLUDING GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : **Review and Compliance Procedure in the Filing and Submission of the Statement of Assets, Liabilities and Network and Disclosure of Business Interests and Financial Connections**

Section 12 of Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) mandated the Civil Service Commission to promulgate rules and regulations to carry out the provisions of the said Act. Pursuant thereto, the Commission promulgated the "Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees" (RULES) on May 27, 1989.

Rule VII of the RULES requires public officials and employees to accomplish and file under oath their statement of assets, liabilities and network (SALN) and disclosure of business interests and financial connections, including those of their spouses and unmarried children under eighteen (18) years of age living in their households.

Rule VIII of the same RULES authorizes certain officials of the Legislative, Executive and Judicial Departments, and the Constitutional Commissions and Offices to establish compliance procedures for the review of statements in the SALN to determine whether said statements have been properly accomplished. The said officials are also authorized to render any opinion interpreting the provisions on the review and compliance procedures and make a determination on whether a statement is properly filed. If a statement is not properly filed, they are required to inform the reporting individual and direct him/her to take the necessary corrective action.

The Commission, however, recognizes the need to clarify and amend the aforementioned Rule VIII of the RULES in order to properly effectuate the said provision and establish a standard review and compliance procedure to be observed by all public officials and employees in the filing and submission of SALN.

Hence, in **CSC Resolution No. 06-0231 dated February 1, 2006**, the Commission adopted the attached "Review and Compliance Procedure in the Filing and Submission of the Statement of Assets, Liabilities and Network and Disclosure of Business Interests and Financial Connections". Said Resolution was published on April 7, 2006 in the Philippine Star and shall be effective fifteen (15) days thereafter or on April 23, 2006. Following its effectivity, the said guidelines shall govern the filing and submission of the SALN by all concerned government officials and employees.

In view hereof, all existing Civil Service rules and regulations, circulars and memoranda inconsistent herewith are deemed repealed or modified accordingly.

(Sgd.) **KARINA CONSTANTINO-DAVID**
Chairperson

17 April 2006

**Review and Compliance Procedure in the Filing and Submission
of the Statement of Assets, Liabilities and Network and Disclosure
of Business Interests and Financial Connections**

RESOLUTION NO. 060231

WHEREAS, Republic Act No. 6713 was enacted on February 20, 1989 to establish a Code of Conduct and Ethical Standards for Public Officials and Employees, upholding the time-honored principle of public office being a public trust, granting incentives and rewards for exemplary service, enumerating prohibited acts and transactions and providing penalties for violations thereof and for other purposes;

WHEREAS, Section 12 of R.A. 6713 mandated the Civil Service Commission to promulgate rules and regulations necessary to carry out the provisions of said Act;

WHEREAS, the "Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees" (RULES) was promulgated by the Commission on May 27, 1989;

WHEREAS, Rule VII of the RULES requires public officials and employees to accomplish and file under oath their statement of assets, liabilities and networth (SALN) and disclosure of business interests and financial connections, including those of their spouses and unmarried children under eighteen (18) years of age living in their households;

WHEREAS, Rule VIII of the same RULES authorizes certain officials of the Legislative, Executive and Judicial Departments, and the Constitutional Commissions and Offices to establish compliance procedures for the review of statements in the SALN to determine whether said statements have been properly accomplished. The said officials are also authorized to render any opinion interpreting the provisions on the review and compliance procedures and make a determination on whether a statement is properly filed. If a statement is not properly filed, they are required to inform the reporting individual and direct him/her to take the necessary corrective action;

WHEREAS, in order to properly effectuate the aforementioned provision and establish a standard review and compliance procedure to be observed by all public officials and employees in the filing and submission of the SALN, there is a need to clarify and amend Rule VIII of the RULES;

NOW, THEREFORE, the Commission hereby adopts and promulgates the following rules to serve as an amendment to Rule VIII of the Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees:

I. Rule VIII is hereby amended to read, as follows:

"Rule VIII. Review and Compliance Procedure in the Filing and Submission of the Statements of Assets, Liabilities and Network and Disclosure of Business Interests and Financial Connections

"Section 1. Filing and Submission of SALN on Time and to the Proper Official

- a. All public officials and employees, except those who serve in an official honorary capacity, without service credit or pay, temporary labors and casual or temporary and contractual workers, shall file under oath their SALNs and Disclosure of Business Interests and Financial Connections with their respective Chief or Head of the Personnel/ Administrative Division or Unit/ Human Resource Management Office (HRMO), to wit:
 1. Within thirty (30) days after assumption of office, statements of which must be reckoned as of his/her first day of service;
 2. On or before April 30 of every year thereafter, statements of which must be reckoned as of the end of the preceding year; and
 3. Within thirty (30) days after separation from the service, statements of which must be reckoned as of his/her last day of office.
- b. Public officials and employees under temporary status are also required to file under oath their SALNs and Disclosure of Business Interests and Financial Connections in accordance with the guidelines provided under these rules.
- c. Public officials and employees are strictly required to fill in all applicable information and/or make a true and detailed statement in their SALNs.

Section 2. Duties of the Chief/Head of the Personnel/ Administrative Division or Unit/HRMO

Upon receiving the SALN forms, the Chief/Head of the Personnel/ Administrative Division or Unit/HRMO shall evaluate the same to determine whether said statements have been properly accomplished. A SALN is deemed

properly accomplished when all applicable information or details required therein are provided by the filer. Items not applicable to the filer should be marked N/A (not applicable).

The Chief/Head of the Personnel/Administrative Division or Unit/HRMO shall submit a list of employees in alphabetical order, who: a) filed their SALNs with complete data; b) filed their SALNs but with incomplete data; and c) did not file their SALNs, to the head of office, copy furnished the CSC, on or before May 15 of every year.

Section 3. Ministerial Duty of the Head of Office to issue Compliance Order

Immediately upon receipt of the aforementioned list and recommendation, it shall be the ministerial duty of the Head of Office to issue an order requiring those who have incomplete data in their SALN to correct/supply the desired information and those who did not file/submit their SALNs to comply within a non-extendible period of three (3) days from receipt of said order.

Assets and/or properties acquired, donated or transferred in the name of the filer for a particular year, but were not declared on his/her SALN for that year, as the same came to his/her knowledge only after he/she has filed, corrected and/or submitted his/her SALN, must be declared or reflected in the filer's next or succeeding SALN.

Section 4. Sanction for Failure to Comply/Issuance of a Show-Cause Order

Failure of an official or employee to correct/submit his/her SALN in accordance with the procedure and within the given period pursuant to the directive in Section 3 hereof shall be a ground for disciplinary action. The Head of Office shall issue a show-cause order directing the official or employee concerned to submit his/her comment or counter-affidavit; and if the evidence so warrants, proceed with the conduct of the administrative proceedings pursuant to the **Uniform Rules on Administrative Cases in the Civil Service (CSC Resolution No. 99-1936 dated August 31, 1999)**. The offense of failure to file the SALN is punishable under **Rule IV, Section 52 (B) (8)** thereof, with the following penalties:

- 1st offense - Suspension for one (1) month and one (1) day to 6 months
- 2nd offense - Dismissal from the service

Section 5. Transmittal of all submitted SALNs to the concerned agencies on or before June 30.

The Chief/Head of the Personnel/Administrative Division or Unit/HRMO shall transmit all original copies of the SALNs received, on or before June 30 of every year, to the concerned offices, as specified below:

National Office of the Ombudsman	<ul style="list-style-type: none"> - President and Vice-President of the Philippines - Chairmen and Commissioners of Constitutional Commissions and Offices
Secretary of the Senate	<ul style="list-style-type: none"> - Senators
Secretary General of the House of Representatives	<ul style="list-style-type: none"> - Congressmen
Clerk of Court of the Supreme Court	<ul style="list-style-type: none"> - Justices of the Supreme Court, Court of Appeals, Sandiganbayan and Court of Tax Appeal
Court Administrator	<ul style="list-style-type: none"> - Judges of the Regional Trial Court, Metropolitan Circuit Trial Court, Municipal and Special Courts
Office of the President	<ul style="list-style-type: none"> - National Executive Officials such as Members of the Cabinet, Undersecretaries and Assistant Secretaries, including the Foreign Service Offices-Heads of Government-Owned and Controlled Corporations with original charters and their subsidiaries, and State Colleges and Universities - Officers of the Armed Forces from the rank of colonel or Naval Captain
Deputy Ombudsman	<ul style="list-style-type: none"> - Regional Officials and Employees of Departments, Bureaus and Agencies of the National Government including the Judiciary and Constitutional Commissions and Offices - Regional Officials and Employees of Government-Owned and Controlled Corporations and their subsidiaries in the region

Civil Service Commission	<ul style="list-style-type: none"> - All other officials and employees of State Colleges and Universities - Regional Officers below the rank of Colonel or Naval Captain including Civilian Personnel of the AFP - Regional Officials and Employees of the PNP - Provincial Officials and Employees including Governors, Vice-Governors and Sangguniang Panlalawigan Members - Municipal and City Officials and Employees including Mayors, Vice-Mayors, Sangguniang Bayan/Panlungsod Members and Barangay Officials - All other Central Officials and Employees of Departments, Bureaus and Agencies of the National Government, including the Judiciary and Constitutional Commissions and Offices, as well as Government-Owned and Controlled Corporations and their subsidiaries - Appointive Officials and Employees of the Legislature - All other Central Officers below the Rank of Colonel or Naval Captain as well as Civilian Personnel of the AFP - All other Uniformed and Non-uniformed Central Officials and Employees of the PNP, BUMP and BFP
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Section 6. Penalty

The Head of Office and/or the Chief/Head of the Personnel/Administrative Division or Unit/HRMO who failed to perform their duties may be held liable for neglect of duty under **Section 46, Chapter 7, Subtitle A, Title I, Book V of the Administrative Code of 1987 (Executive Order No. 292).**

Section 7. Authority to Establish Compliance Procedures

The following shall have the authority to establish compliance procedures for the review of statements to determine whether said statements have been properly accomplished.

- (a) In the case of Congress, the designated committees of both Houses of Congress subject to approval by the affirmative vote of the majority of the particular House concerned.

- (b) In the case of the Executive Department, the heads of departments, offices and agencies insofar as their respective departments, offices and agencies are concerned subject to approval of the Secretary of Justice.
- (c) In the case of the Judicial Department, the Chief Justice of the Supreme Court.
- (d) In the case of the Constitutional Commissions and other Constitutional Offices, the respective Chairman and members thereof, in the case of the Office of the Ombudsman, the Ombudsman.

The above officials shall likewise have the authority to render any opinion interpreting the provisions on the review and compliance procedures in the filing of statements of assets, liabilities, networth and disclosure of information.

In the event said authorities determine that a statement is not properly filed, they shall inform the reporting individual and direct him/her to take necessary corrective action.

The individual to whom an opinion is rendered, and any other individual involved in a similar factual situation, and who, after issuance of the opinion acts in good faith in accordance with it shall not be subject to any sanction provided in the Code.

- II. **Repealing Clause – all previous rules inconsistent herewith are deemed repealed or modified accordingly.**

III. Effectivity

These rules shall take effect after fifteen (15) calendar days from the date of publication in a newspaper of general circulation.

Quezon City, February 1, 2006.

(Sgd.) **KARINA CONSTANTINO-DAVID**
Chairperson

(Sgd.) **J. WALDEMAR V. VALMORES** (Sgd.) **CESAR D. BUENAFLORES**
Commissioner Commissioner

Attested by:

(Sgd.) **MARIANO T. BAUTISTA**
Caretaker Director III
Commission Secretariat and Liaison Office

Republic Act No. 6713

Code of Conduct and Ethical standards for Public Officials and Employees

<http://www.tag.org.ph/phillaw/law4-RA6713.htm>

Republic of the Philippines
Congress of the Philippines
Second Regular Session

Senate. No. 139
House No. 12069

An act establishing a code of conduct and ethical standards for public officials and employees, to uphold the time-honored principle of public office being a public trust, granting incentives and rewards for exemplary service, enumerating prohibited acts and transactions and providing penalties for violations thereof and for other purposes.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Title. - This Act shall be known as the "Code of Conduct and Ethical standards for Public Officials and Employees."

Sec. 2. Declaration of Policy. - It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest.

Sec. 3. Definition of Terms. - As used in this Act, the term:

(a) "Government" includes the National government, the local governments, and all other instrumentalities, agencies or branches of the Republic of the Philippines including government-owned or controlled corporations and their subsidiaries.

(b) "Public Officials" includes elective and appointive officials and employees, permanent or temporary, whether in the career or non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount.

(c) "Gift" refers to a thing or a right disposed of gratuitously, or any act of liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.

(d) "Receiving any gift" includes the act of accepting, directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Act, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift is given in anticipation of, or in exchange for, a favor.

(e) "Loan" covers both simple loan and commodatum as well as guarantees, financing arrangements or accommodations intended to ensure its approval.

(f) "Substantial stockholder" means any person who owns, directly or indirectly, shares of stock sufficient to elect a director of a corporation. This term shall also apply to the parties to a voting trust.

(g) "Family of public officials or employees" means their spouses and unmarried children under eighteen (18) years of age.

(h) "Person" includes natural and juridical persons unless the context indicates otherwise.

(i) "Conflict of interest" arises when a public official or employee is a member of a board, an officer, or a substantial stockholder of a private corporation or owned or has a substantial interest in business, and the interest of such corporation or business, or his rights or duties therein, may be opposed to or affected by the faithful performance of official duty.

(j) "Divestment" is the transfer of title or disposal of interest in property by voluntarily, completely and actually depriving or dispossessing oneself of his right or title to it in favor of a person or persons other than his spouse and relatives as defined in this Act. "Relatives" refers to any and all persons related to a public official or employee within the fourth civil degree of consanguinity or affinity, including bilas, inso and balae.

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Sec. 4. Norms of Conduct of Public Officials and Employees.

(A) Every public official and employee shall observe the following as standards of personal conduct in the discharge and execution of official duties:

(a) Commitment to public interest. - Public officials and employees shall always uphold the public interest over and above personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.

(b) Professionalism. - Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.

(c) Justness and sincerity. - Public officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or extend undue favors on account of their office to their relatives whether by consanguinity or affinity except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.

(d) Political neutrality. - Public officials and employees shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

(e) Responsiveness to the public. - Public officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, public officials and employees shall provide information on their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socioeconomic conditions prevailing in the country, especially in the depressed rural and urban areas.

(f) Nationalism and patriotism. - Public officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally-produced goods, resources and technology and encourage appreciation and pride of the country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.

(g) Commitment to democracy. - Public officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability, and manifest by deeds the supremacy of civilian authority

over the military. They shall at all time uphold the Constitution and put loyalty to country above loyalty to persons or party.

(h) Simple living. - Public officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

(B) The Civil Service Commission shall adopt positive measures to promote: (1) observance of these standards including the dissemination of information programs and workshops authorizing merit increases beyond regular progression steps, to a limited number of employees recognized by their office colleagues to be outstanding in their observance of ethical standards; and (2) continuing research and experimentation on measures which provide positive motivation to public officials and employees in raising the general level of observance of these standards.

Sec. 5. Duties of public Officials and Employees. - In the performance of their duties, all public officials and employees are under obligation to:

(a) Act promptly on letters and requests. - All public officials and employees shall, within fifteen (15) working days from receipt thereof, respond to letters telegrams or other means of communications sent by the public. The reply must contain the action taken on the request.

(b) Submit annual performance reports. - All heads or other responsible officers of offices and agencies of the government and of government-owned or controlled corporations shall, within forty-five (45) working days from the end of the year, render a performance report of the agency or office or corporation concerned. Such report shall be open and available to the public within regular office hours.

(c) Process documents and papers expeditiously. - All official papers and documents must be processed and completed within a reasonable time from the preparation thereof and must contain, as far as practicable, not more than three (3) signatories therein. In the absence of duly authorized signatories, the official next-in-rank or officer-in-charge shall sign for and in their behalf.

(d) Act immediately on the public's personal transactions. - All public officials and employees must attend to anyone who wants to avail himself of the services of their offices and must, at all times, act promptly and expeditiously.

(e) Make documents accessible to the public. - All public documents must be made accessible to, and readily available for inspection by, the public within reasonable working hours.

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Sec. 6. System of Incentives and Rewards. - A system of annual incentives and rewards is hereby established in order to motivate and inspire public servants to uphold the highest standards of ethics. For this purpose, a Committee on Awards to Outstanding Public Officials and Employees is hereby created composed of the following: Ombudsman and Chairman of the Commission on Audit, and two government employees to be appointed by the president, as members.

It shall be the task of this Committee to conduct a periodic, continuing review of the performance of public officials and employees, in all the branches and agencies of Government and establish a system of annual incentives and rewards to the end that due recognition is given to public officials and employees of outstanding merit on the basis of the standards set forth in this Act.

The conferment of awards shall take into account, among other things, the following: the years of service and the quality and consistency of performance, the obscurity of the position, the level of salary, the unique and exemplary quality of a certain achievement, and the risks of temptations inherent in the work. Incentives and rewards to government officials and employees of the year to be announced in public ceremonies honoring them may take the form of bonuses, citations, directorships in government-owned or controlled corporations, local and foreign scholarship grants, paid vacations, and the like. They shall likewise be automatically promoted to the next higher position with the commensurate salary suitable to their qualifications. In case there is no next higher position or it is not vacant, said position shall be included in the budget of the office in the next General Appropriations Act. The Committee on Awards shall adopt its own rules to govern the conduct of its activities.

Sec. 7. Prohibited Acts and Transactions. - In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any public official and employee³ and are hereby declared to be unlawful:

(a) Financial and material interest. - Public officials and employees shall not, directly and indirectly, have any financial or material interest in any transaction requiring the approval of their office.

(b) Outside employment and other activities related thereto. - Public officials and employees during their incumbency shall not:

(1) Own, control, manage or accept employment as officer, employee, consultant, counsel, broker, agent, trustee or nominee in any private enterprise regulated, supervised or licensed by their office unless expressly allowed by law;

(2) Engage in the private practice of their profession unless authorized by the Constitution or law, provided that such practice will not conflict or tend to conflict with their official functions; or

(3) Recommend any person to any position in a private enterprise which has a regular or pending official transaction with their office. These prohibitions shall continue to apply for a period of one (1) year after resignation, retirement, or separation from public office, except in the case of subparagraph (b) (2) above, but the professional concerned cannot practice his profession in connection with any matter before the office he used to be with, in which case the one-year prohibition shall likewise apply.

(c) Disclosure and/or misuse of confidential information. - Public officials and employees shall not use or divulge, confidential or classified information officially known to them by reason of their office and not made available to the public, either:

(1) To further their private interests, or give undue advantage to anyone; or

(2) To prejudice the public interest.

(d) Solicitation or acceptance of gifts. - Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.

As to gifts or grants from foreign governments, the Congress consents to:

(i) The acceptance and retention by a public official or employee of a gift of nominal value tendered and received as a souvenir or mark of courtesy;

(ii) The acceptance by a public official or employee of a gift in the nature of a scholarship or fellowship grant or medical treatment; or

(iii) The acceptance by a public official or employee of travel grants or expenses for travel taking place entirely outside the Philippines (such as allowances, transportation, food, and lodging) of more than nominal value if such acceptance is appropriate or consistent with the interests of the Philippines, and permitted by the head of office, branch or agency to which he belongs.

The Ombudsman shall prescribe such regulations as may be necessary to carry out the purpose of this subsection, including pertinent reporting and disclosure requirements.

Nothing in this Act shall be construed to restrict or prohibit any educational, scientific or cultural exchange programs subject to national security requirements.

Sec. 8. Statements and Disclosure. - Public officials and employees have an obligation to accomplish and submit declarations under oath of, and the public has the right to know, their assets, liabilities, net worth and financial and business interest including those of their spouses and of unmarried children under eighteen (18) years of age living in their households.

(A) Statement of Assets and Liabilities and Financial Disclosure. - All public officials and employees, except those who serve in an honorary capacity, laborers and casual or temporary workers, shall file under oath their Statement of Assets, Liabilities and Net Worth and a Disclosure of Business Interests and Financial Connections and those of their spouses and unmarried children under eighteen (18) years of age living in their households.

The two documents shall contain information on the following:

- (a) real property, its improvements, acquisition costs, assessed value and current fair market value;
- (b) personal property and acquisition cost;
- (c) all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
- (d) liabilities; and
- (e) all business interests and financial connections.

The documents must be filed:

- (a) within thirty (30) days after assumption of office;
- (b) on or before April 30 of every year thereafter; and
- (c) within thirty (30) days after separation from the service.

All public officials and employees required under this section to file the aforesaid documents shall also execute, within thirty (30) days from the date of their assumption of office, the necessary authority in favor of the Ombudsman to obtain from all appropriate government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities, net worth, and also their business interests and financial connections in previous years, including, if possible, the year when they first assumed any office in the Government.

Husband and wife who are both public officials or employees may file the required statements jointly or separately.

The Statements of Assets, Liabilities and Net Worth and the Disclosure of Business Interests and Financial Connections shall be filed by:

- (1) Constitutional and national elective officials, with the national office of the Ombudsman;
- (2) Senators and Congressmen, with the Secretaries of the Senate and the House of Representatives, respectively; Justices, with the Clerk of Court of the Supreme Court; Judges, with the court Administrator; and all national executive officials with the office of the President;
- (3) Regional and local officials and employees, with the Deputy Ombudsman in their respective regions;
- (4) Officers of the armed forces from the rank of colonel or naval captain, with the Office of the President, and those below said ranks, with the Deputy Ombudsman in their respective regions; and
- (5) All other public officials and employees, defined in Republic Act No. 3019, as amended, with the civil Service Commission.

(B) Identification and disclosure of relatives. - It shall be the duty of every public official or employee to identify and disclose, to the best of his knowledge and information, his relatives in the Government in the form, manner and frequency prescribed by the Civil Service Commission.

(C) Accessibility of the documents.

- (1) Any and all statements filed under this Act shall be made available for inspection at reasonable hours.
- (2) Such statements shall be made available for copying or reproduction after ten (10) working days from the time they are filed as required by law.
- (3) Any statement filed under this Act shall be available to the public for a period of ten (10) years after receipt of the statement. After such period, the statement may be destroyed unless needed in an ongoing investigation.

(D) Prohibited acts. - It shall be unlawful for any person to obtain or use any statement filed under this Act for:

- (a) any purpose contrary to morals or public policy; or
- (b) any commercial purpose other than by news and communications media for dissemination to the general public.

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Sec 9. Divestment. - A public official or employee shall avoid conflicts of interest at all times. When a conflict of interest arises, he shall resign from his position in any private business enterprise within thirty (30) days from his assumption of office and/or divest himself of his shareholdings or interest within sixty (60) days from such assumption.

The same rule shall apply where the public official or employee is a partner in a partnership.

The requirement of divestment shall not apply to those who serve the Government in an honorary capacity nor to laborers and casual or temporary workers.

Sec. 10. Review and Compliance Procedure.

(a) The designated Committees of both Houses of the Congress shall establish procedures for the review of statements to determine whether said statements have been submitted on time are complete and are in proper form. In the event a determination is made that a statement is not so filed, the appropriate Committee shall so inform the reporting individual and direct him to take the necessary corrective action.

(b) In order to carry out their responsibilities under this Act, the designated Committees of both Houses of congress shall have the power, within their respective jurisdictions, to render any opinion interpreting this Act, in writing, to persons, covered by this Act, subject in each instance to the approval by affirmative vote of the majority of the particular House concerned.

The individual to whom an opinion is rendered, and any other individual involved in a similar factual situation, and who, after issuance of the opinion acts in good faith in accordance with it shall not be subject to any sanction provided in this Act.

(c) The heads of other offices shall perform the duties stated in subsections (a) and (b) hereof insofar as their respective offices are concerned, subject to the approval of the Secretary of Justice, in the case of the Executive Department and the Chief Justice of the Supreme Court, in the case of the Judicial Department.

Sec. 11. Penalties.

(a) Any public official or employee, regardless of whether or not he holds office or employment in a casual, temporary, holdover, permanent or regular capacity, committing any violation of this Act shall be punished with a fine not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body of agency. If the violation is punishable by a heavier penalty under another law, he shall be prosecuted under the latter statute. Violations of Sections 7, 8, or 9 of this Act shall be punishable with imprisonment not exceeding five (5) years, or a fine not exceeding Five thousand pesos (P5, 000.00), or both, and, in the discretion of the court of competent jurisdiction, disqualification to hold public office.

(b) Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a public official or employee, even if no criminal prosecution is instituted against him.

(c) Private individuals who participate in conspiracy as co-principals, accomplices or accessories, with public officials or employees, in violation of this Act, shall be subject to the same penal liabilities as the public officials or employees and shall be tried jointly with them.

(d) The official or employee concerned may bring an action against any person who obtains or uses a report for any purpose prohibited by Section 8 (D) of this Act. The court in which such action is brought may assess against such person a penalty in any amount not to exceed Twenty-five thousand pesos (P25, 000.00). If another sanction hereunder or under any other law is heavier, the latter shall apply.

Sec. 12. Promulgation of Rules and Regulations, Administration and Enforcement of this Act. - The Civil Service Commission shall have the primary responsibility for the administration and enforcement of this Act. It shall transmit all cases for prosecution arising from violations of this Act to the proper authorities for appropriate action: Provided, however, That it may institute such administrative actions and disciplinary measures as may be warranted in accordance with law. Nothing in this provision shall be construed as a deprivation of the right of each House of Congress to discipline its Members for disorderly behavior. The Civil Service Commission is hereby authorized to promulgate rules and regulations necessary to carry out the provisions of this Act, including guidelines for individuals who render free voluntary service to the Government. The Ombudsman shall likewise take steps to protect citizens who denounce acts or omissions of public officials and employees which are in violation of this Act.

Sec. 13. Provisions for More Stringent Standards. - Nothing in this Act shall be constructed to derogate from any law, or any regulation prescribed by any body or agency, which provides for more stringent standards for its officials and employees.

Sec. 14. Appropriations. - The sum necessary for the effective implementation of this Act shall be taken from the appropriations of the Civil Service Commission. Thereafter, such as may be needed for its continued implementation shall be included in the annual General Appropriations

Act. Sec. 15. Separability Clause. - If any provision of this Act or the application of such provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of the Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

Sec. 16. Repealing Clause. All laws, decrees and orders or parts thereof inconsistent herewith, are deemed repealed or modified accordingly, unless the same provide for a heavier penalty.

Sec. 17. Effectivity. - This Act shall take effect after thirty (30) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved, February 20, 1989

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Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees

Pursuant to the provisions of Section 12 of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees", approved Dn February 20, 1989, and which took effect on March 25, 1989, conformably to Section 17 thereof, the following Rules are hereby adopted in order to carry out the provisions of the said Code:

Rule I

Coverage

Section 1. These Rules shall cover all officials and employees in the government, elective and appointive, permanent or temporary, whether in the career or non-career service, including military and police personnel, whether or not they receive compensation, regardless of amount.

Rule II

Interpretation

Section 1. These Rules shall be interpreted in the light of the Declaration of Policy found in
Section 2 of the Code:

"It is the policy of the State to promote a high standard of ethics in public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest."

Rule III

Reforms on Public Administrative Systems

Section 1. Every department, office and agency shall, as soon as practicable and in no case later than ninety (90) days from the effectivity of these rules, start conducting value development programs for its officials and employees in order to strengthen their commitment to public service and help promote the primacy of public interest over personal interest in the performance of their duties. Such programs and other parallel efforts on value development shall include, among other things, the following subjects:

- (a) Ethical and moral values;
- (b) Rights, duties and responsibilities of public servants
- (c) Nationalism and patriotism;
- (d) Justice and human rights;
- (e) Democracy in a free and just society;
- (f) Philippine history. Culture and tradition; and
- (g) Socio-economic conditions prevailing in the country, especially in the depressed areas, and the need for a code of Conduct and Ethical Standards.

Continuing refresher courses and seminars and/or workshops to promote a high standard of ethics in public service shall be conducted.

Section 2. Professional, scientific, technical trainings and education programs shall enhance to the highest degree, professionalism, excellence, intelligence and skills in the performance and discharge of duties and responsibilities of officials and employees. These programs shall be conducted in all offices of the government and may include subjects that are enumerated in the preceding section.

Section 3. It is the responsibility of every head of department, office and agency to ensure that officials and employees attend the value development program and participate in parallel value development efforts.

Section 4. Every department, office and agency shall conduct continuing studies and analyses of their work systems and procedures to improve delivery of public services. Towards this end, such studies and analyses shall: (1) identify systems and procedures that lead or contribute to negative bureaucratic behavior; (2) simplify rules and procedures to avoid red tape; and (3) devise or adopt systems and procedures that promote official and employee morale and satisfaction.

Each department, office or agency shall develop a service guide or its functional equivalent which shall be regularly updated and made available to the transacting public. A workflow chart showing procedures or flow of documents shall likewise be posted in conspicuous places in the department, office or agency for the information and guidance of all concerned.

Upon request, the Department of Budget and Management shall assist departments, offices and agencies in the evaluation and adoption of work systems and procedures that will institutionalize a management climate conducive to public accountability.

Section 5. Every department, office and agency shall consult the public they serve for the purpose of gathering feedback and suggestions on the efficiency, effectiveness and economy of services. They shall establish mechanisms to ensure the conduct of public consultations and hearings.

Section 6. Every department, office and agency shall continuously conduct research and experimentation on measures and adopt innovative programs which will provide motivation to officials and employees in raising the level of observance of public service ethical standards.

Section 7. every department, office and agency shall, appoint or designate a resident Ombudsman, who shall act immediately on all request for public assistance referred to him by the Ombudsman and his Deputies. He shall be held accountable for the disposition of all requests for assistance.

Section 8. Government officials shall make themselves available to their staff for consultations and dialogues.

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Rule IV

Transparency of Transactions and Access to Information

Section 1. Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.

Section 2. it is the responsibility of heads of departments, offices and agencies to establish measures and standards that will ensure transparency of and openness in public transactions in their respective offices, such as biddings, purchases, other internal transactions, including contracts, status of projects, and all other matters involving public interest.

They shall establish information systems that will inform the public of the following: (a) policies, rules, and procedures; (b) work programs, projects, and performance targets; (c) performance reports; and (d) all other documents as may hereafter be classified as public information.

Such information shall be utilized solely for the purpose of informing the public of such policies, programs and accomplishment, and not to build the public image of any official or employee or to advance his own personal interest.

Section 3. Every department, office or agency shall provide official information, records or documents to any requesting public, except if:

(a) such information, record or document must be kept secret in the interest of national defense or security or the conduct of foreign affairs.

(b) such disclosure would put the life and safety of an individual in imminent danger;

(c) the information, record or document sought falls within the concepts of established privilege or recognized exceptions as may be provided by law or settled policy or jurisprudence;

(d) such information, record or document compromises drafts or decisions, orders, rulings, policy, decisions, memoranda, etc;

(e) it would disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(f) it would disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, or (iv) unjustifiably disclose investigative techniques and procedures; or

(g) it would disclose information the premature disclosure of which would (i) in the case of a department, office or agency which agency regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities or significantly endanger the stability of any financial institution, or (ii) in the case of any department, office or agency be likely or significantly to frustrate implementation of a proposed official action, except that subparagraph (f) (ii) shall not apply in any instance where the department, office or agency has already disclosed to the public the content or nature of its proposed action, or where the department, office or agency is required by law to make such disclosure on its own initiative prior to taking final official action on such proposal.

Section 4. Every head of department, office and agency shall establish information systems and networks that will effect the widest possible dissemination of information regarding the provisions of the Code, and the policies and programs relative thereto.

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Rule V

Incentive and Rewards System

Section 1. Incentives and rewards shall be granted officials and employees who have demonstrated exemplary service and conduct on the basis of their observance of the norms of conduct laid down in Section 4 of the Code namely:

(a) Commitment to public interest - Officials and employees shall always uphold the public interest over personal interest. All government resources and powers and powers of their respective departments, offices and agencies must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.

(b) Professionalism - Officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.

(c) Justness and sincerity - Officials and employees shall remain true to the people at all times. They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. They shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. They shall not dispense or

extend undue favors on account of their office to their relatives, whether by consanguinity or affinity, except with respect to appointments of such relatives to positions considered strictly confidential or as members of their personal staff whose terms are coterminous with theirs.

(d) Political neutrality - Officials and employees shall provide service to everyone without unfair discrimination regardless of party affiliation or preference.

(e) Responsiveness to the public - Officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, officials and employees shall provide information on their policies and procedures in clear and understandable language, ensure openness of information, public consultations and hearings whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding and appreciation of the socio-economic conditions prevailing in the country, especially in the depressed rural and urban areas.

(f) Nationalism and patriotism - Officials and employees shall at all times be loyal to the Republic and to the Filipino people, promote the use of locally produced goods, resources and technology and encourage appreciation and pride of country and people. They shall endeavor to maintain and defend Philippine sovereignty against foreign intrusion.

(g) Commitment to democracy - Officials and employees shall commit themselves to the democratic way of life and values, maintain the principle of public accountability and manifest by deeds the supremacy of civilian authority over the military. They shall at all times uphold the Constitution and put loyalty to country above loyalty to persons or party.

(h) Simple living - Officials and employees and their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

Section 2. The following criteria shall be considered in the conferment of awards:

- (a) Years of service;
- (b) Quality and consistency of performance;
- (c) Obscurity of the position;
- (d) Level of salary;
- (e) Unique and exemplary quality of achievement;
- (f) Risk or temptation inherent in the work; and
- (g) Any similar circumstances or considerations in favor of the particular awardee.

Section 3. Incentives and rewards to government officials and employees of the year may take the form of any of the following, as may be determined by the Committee on Awards established under the Code:

- (a) Bonuses; or
- (b) Citations; or
- (c) Directorships in government-owned or controlled corporations; or
- (d) Local and foreign scholarship grants; or
- (e) Paid vacations; and
- (f) Automatic promotion to the next higher position suitable to his qualifications and with commensurate salary; provided, that if there is no next higher position or it is not vacant, said position shall be included in the next budget of the office; except when the creation of a new position will result in distortion in the organizational structure of the department, office or agency. Where there is no next higher position immediately available, a salary increase equivalent to the next higher position shall be given and incorporated in the base pay. When a new position is created, that which is vacated shall be deemed abolished.

The grants of awards shall be governed by the merit and fitness principle.

Section 4. (a) The system shall be administered by a Committee on Awards for Outstanding Public Officials and Employees composed of:

- (1) Ombudsman Co-Chairman
- (2) Chairman CSC Co-Chairman
- (3) Chairman COA Member
- (4) Two (2) Government Members Employees to be Appointed By the President

(b) For this purpose, the Committee shall perform the following functions and responsibilities:

- (1) Conduct a periodic, continuing review of performance of officials and employees in all department, offices and agencies;
- (2) Establish a system of annual incentives and rewards to the end that due recognition is given to officials and employees of outstanding merit on the basis of standards set forth in Section 2, Rule V hereof;
- (3) Determine the form of rewards to be granted;
- (4) Formulate and adopt its own rules to govern the conduct of its activities, which shall include guidelines for evaluating nominees, the mechanism for recognizing the awardees in public ceremonies and the creation of sub-committees;

In the evaluation of nominees, the Committee may be assisted by technical experts selected from the government and the private sectors.

Section 5. The Civil Service Commission shall provide secretariat services to the Committee.

Section 6. Nothing herein provided shall inhibit any department, office or agency from instituting its own rewards program in addition to those provided by, but not inconsistent with these Rules.

Section 7. The budget to cover all expenses in the implementation of this Rule shall be incorporated in the appropriation of the Civil Service Commission.

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Rule VI

Duties of Public Officials and Employees

Section 1. As a general rule, when a request or petition, whether written or verbal, can be disposed of promptly and expeditiously the official and employee in charge to whom the same is presented shall do so immediately, without discrimination, and in no case beyond fifteen (15) working days from receipt of the request or petition.

Section 2. In departments, offices or agencies that are usually swamped with persons calling for a particular type of service, the head of the department, office or agency shall devise a mechanism so as to avoid long queues, such as by giving each person a ticket number duly countersigned which shall specify the time and the date when the person, whose name and address shall be indicated, can be served without delay. Said person shall have the right to prompt service upon presentation of said ticket number.

Section 3. In case of written requests, petitions or motions, sent by means of letters, telegrams, or the like, the official or employee in charge shall act on the same within fifteen (15) working days from receipt thereof, provided that:

(b) If the communication is within the jurisdiction of the office or agency, the official and employee must:

(1) Write a note or letter of acknowledgement where the matter is merely routine or the action desired may be acted upon in the ordinary course of business of the department, office or agency, specifying the date when the matter will be disposed of and the name of the official or employee in charge thereof.

(2) Where the matter is non-routine or the issues involved are not simple or ordinary, write a note or letter of acknowledgement, informing the interested party, petitioner or correspondent of the action to be taken or when such requests, petitions or motions can be acted upon. Where there is a need to submit additional information, requirements, or documents, the note or letter of acknowledgement shall so state, specifying a reasonable period of time within which they should be submitted, and the name of the particular official or employee in charge thereof. When all the documents or requirements have been submitted to the satisfaction of the department or office or agency concerned, the particular official or employee in charge shall inform the interested party, petitioner, or correspondent of the action to be taken and when such action or disposition can be expected, barring unforeseen circumstances.

(c) If communication is outside its jurisdiction, the official or employee must:

(1) Refer the letter, petition, telegram, or verbal request to the proper department, office or agency.

(2) Acknowledge the communication by means of a note or letter, informing the interested party, petitioner, correspondent of the action taken and attaching a copy of the letter of the letter of referral to the proper department, office or agency.

The department, office or agency to which the letter, petition, telegram or verbal request was referred for appropriate action must take action in accordance with subsection (a), pars. 1 and 2 hereof.

The period of fifteen (15) working days herein provided shall be counted from the date of receipt of the written or verbal communication by the department, office or agency concerned.

Section 4. All official papers and documents must be processed and completed within a reasonable time from the preparation thereof. Reasonable time shall be determined in accordance with the following rules:

(b) When the law or the applicable rule issued in accordance therewith prescribes a period within which a decision is to be rendered or an action taken, the same shall be followed;

(c) When the law or the applicable rule issued in accordance therewith does not prescribe a period, the head of department, office or agency shall issue rules and regulations prescribing, among other things, what is reasonable time, taking into account the following factors:

(1) Nature, simplicity or complexity of the subject matter of the official papers or documents processed by said department, office or agency.

(2) Completeness or inadequacy of requirements or of data and information necessary for decision or action;

(3) Lack of resources caused by circumstances beyond the control of the department, office or agency or official or employee concerned;

(4) Legal constraints such as restraining orders and injunctions issued by proper judicial, quasi-judicial or administrative authorities; and

(5) Fault, failure or negligence of the party concerned which renders decision or action not possible or premature; and

(6) Fortuitous events or force majeure.

Section 5. Except as otherwise provided by law or regulation, and as far as practicable, any written action or decision must contain not more than three (3) initials or signatures. In the absence of the duly authorized signatory, the official next-in-rank or officer-in-charge or the person duly authorized shall sign for and in his behalf. The head of department, office or agency shall prescribe, through and appropriate office order, the rules on the proper authority to sign in the absence of the regular signatory, as follows:

(1) If there is only one official next in rank, he shall automatically be the signatory;

(2) If there are two or more officials next in rank, the appropriate office order shall prescribe the order of priority among the officials next in rank within the same organizational unit; or

(3) If there is no official next in rank present and available, the head of department, office or agency shall designate an officer-in-charge from among those next lower in rank in the same organizational unit.

Section 6. All public documents must be made accessible to, and readily available for inspection by, the public during working hours, except those provided in Section 3. Rule IV.

Section 7. All heads or other responsible officers of departments, offices or agencies of the government and of government-owned or controlled corporations shall, within forty five (45) working days from the end of the year, render a full and complete report of performance and accomplishments, as prescribed by existing laws and regulations.

Another report of compliance with the provisions of the Code and these Rules shall be prepared and submitted to the Civil Service Commission. The Commission may require officials to provide additional information or furnish documents, if necessary.

Section 8. Officials and employees and their families shall lead modest and simple lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

Basically, modest and simple living means maintaining a standard of living within the public official and employee's visible means of income as correctly disclosed in his income tax returns, annual statement of assets, liabilities and net worth and other documents relating to financial and business interests and connections.

Public funds and proper for official use and purpose shall be utilized with the diligence of a good father of a family.

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Rule VII

Public Disclosure

Section 1. Every official and employee, except those who serve in an official honorary capacity, without service credit or pay, temporary laborers and casual or temporary or contractual workers, shall file under oath their statement of assets, liabilities and net worth and a disclosure of business interests and financial connections including those of their spouses and unmarried children under eighteen (18) years of age living in their households, in the prescribed form, Annex A.

(b) Contents of Statement

(1) The Statement of Assets and Liabilities and Net Worth shall contain information on the following:

(a) real property, its improvements, acquisition costs, assessed value, and current fair market value;

(b) personal property and acquisition costs;

(c) all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like; and

(d) all financial liabilities and long-term.

(2) The Disclosure of Business Interests and Financial Connections shall contain information on any existing interests in, or any existing connections with, any business enterprises or entities, whether as proprietor, investor, promoter, partner, shareholder, officer, managing director, executive, creditor, lawyer, legal consultant, accountant, auditor, and the like, the names and addresses of the business enterprises or entities, the dates when such interests or connections were established, and such other details as will show the nature of the interests or connections.

(c) When to File

The above documents under the Code must be filed:

(1) within thirty (30) days after assumption of office, statements of which must be reckoned as of his first day of service;

(2) on or before April 30 of every year thereafter, statements of which must be reckoned as of the end of the preceding year; or

(3) within thirty (30) days after separation from the service, statements of which must be reckoned as of his last day of office.

(d) Where to File

The Statement of Assets and Liabilities and Net Worth and the Disclosure of Business Interests and Financial Connections shall be filed by the:

(1) President, Vice-President and Constitutional Officials, with the National Office of the Ombudsman;

(2) Senators and Congressmen, with the Secretaries of the Senate and the House of Representatives, respectively; Justices, with the Clerk of Court of the Supreme Court; Judges, with the Court Administrator; and national executive officials such as Members of the Cabinet, Undersecretaries and Assistant Secretaries, including the foreign service and heads of government-owned or controlled corporations with original charters and their subsidiaries and state colleges and universities, with the Office of the President.

(3) Regional and local officials and employees, both appointive and elective, including other officials and employees of government-owned or controlled corporations and their subsidiaries and state colleges and universities, with the Deputy Ombudsman in their respective regions;

(4) Officers of the Armed Forces from the rank of Colonel or Naval Captain, with the Office of the President, and those below said ranks, with the Deputy Ombudsman in their respective regions; and

(5) All other officials and employees defined in Republic Act No. 3019, as amended, with the Civil Service Commission.

A copy of said statements shall also be filed with their respective departments, offices or agencies.

(d) All Statement of Assets and Liabilities and Net Worth, as of December 31, 1988, now on file with their respective agencies shall constitute sufficient compliance with the requirements of the Code and they shall be required to accomplish and file the new form as prescribed in these Rules on or before April 30, 1990, and every year thereafter.

(e) Every official and employee shall also execute, within thirty (30) days from the date of their assumption of office, the necessary authority in favor of the Ombudsman to obtain, from all the appropriate government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities, net worth, and also their business interests, and financial connections in previous years, including, if possible, the year when they first assumed any office in the government.

(f) Married couples who are both public officials and employees may file the required statements jointly or separately.

Section 2. Every official or employee shall identify and disclose under oath to the best of his knowledge and information, his relatives in the government, up to the fourth civil degree of relationship, either of consanguinity or affinity, including bilas, inso and balae, in the prescribed form, Annex A, which shall be filed; (a) within thirty (30) days after assumption of office, the information contained therein must be reckoned as of his first day of office; (b) on or before April 30 of every year thereafter, the information contained therein must be reckoned as of the end of the preceding year; or (c) within thirty (30) days after separation from the service, the information contained therein must be reckoned as of his last day of office.

Section 3. (a) Any and all statements filed in accordance with the preceding sections shall be made available for public inspection at reasonable hours;

(b) Such statements shall be made available for public inspection at reasonable hours;

(c) Any duly authorized person requesting a copy of a statement shall be required to pay a reasonable fee as may be determined and prescribed by the Civil Service Commission to cover the cost of reproduction and mailing of such statement, as well as the cost of certification.

(d) Any statement filed under the Code shall be available to the public, subject to the foregoing limitations, for a period of ten (10) years after receipt of the statement. The statement may be destroyed after such period unless needed in an ongoing investigation.

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Rule VIII

Review and Compliance Procedures

Section 1. The following shall have the authority to establish compliance procedures for the review of statements to determine whether said statements have been properly accomplished:

- (a) In the case of Congress, the designated committees of both Houses of Congress subject to approval by the affirmative vote of the majority of the particular House concerned;
- (b) In the case of the Executive Department, the heads of departments, offices and agencies insofar as their respective departments, offices and agencies are concerned subject to approval of the Secretary of Justice.
- (c) In the case of the Judicial Department, the Chief Justice of the Supreme Court; and
- (d) In the case of the Constitutional Commissions and other Constitutional Offices, the respective Chairman and members thereof; in the case of the Office of the Ombudsman, the Ombudsman.

The above officials shall likewise have the authority to render any opinion interpreting the provisions on the review and compliance procedures in the filing of statements of assets, liabilities, net worth and disclosure information.

In the event said authorities determine that a statement is not properly filed, they shall inform the reporting individual and direct him to take the necessary corrective action.

The individual to whom an opinion is rendered, and any other individual involved in a similar factual situation, and who, after issuance of the opinion acts in good faith in accordance with it shall not be subject to any sanction provided in the Code.

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Rule IX

Conflict of Interest and Divestment

Section 1. (a) An official or employee shall avoid conflict of interest at all times.

(b) Conflict of interest occurs:

(1) When the official or employee is:

- (a) a substantial stockholder; or
- (b) a member of the Board of Directors; or
- (c) an officer of the corporation; or
- (d) an owner or has substantial interest in a business; or
- (e) a partner in a partnership; and

(2) The interest of such corporation or business, or his rights or duties therein, are opposed to or affected by the faithful performance of official duty.

(c) A substantial stockholder is any person who owns, directly or indirectly, shares of stock sufficient to elect a director of a corporation. This term shall also apply to the parties to a voting trust.

(d) A voting trust means an agreement in writing between one or more stockholders of a stock corporation for the purpose of conferring upon a trustee or trustees the right to vote and other rights pertaining to the shares for certain periods and subject to such other conditions provided for in the Corporation Law.

Section 2. (a) When a conflict of interest arises, the official or employee involved shall resign from his position in any private business enterprise within thirty (30) days from his assumption of office and/or divest himself of his share-holdings or interests within sixty (60) days from such assumption. For those who are already in the service, and conflict of interest arises, the officer or employee must resign from his position in the private business enterprise and/or divest himself of his shareholdings or interests within the periods herein-above provided, reckoned from the date when the conflict of interest had arisen. The same rule shall apply where the public official or employee is a partner in a partnership.

(b) If the conditions in Section 1 (b) concur, divestment shall be mandatory for any official or employee even if he has resigned from his position in any private business enterprise.

(c) Divestment shall be to a person or persons other than his spouse and relatives within the fourth civil degree of consanguinity or affinity.

(d) The requirements for divestment shall not apply to those specifically authorized by law and those who serve the government in an honorary capacity nor to laborers and casual or temporary workers.

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Rule X

Grounds for administrative disciplinary action

Section 1. In addition to the grounds for administrative disciplinary action prescribed under existing laws, the acts and omissions of any official or employee, whether or not he holds office or employment in a casual, temporary, hold-over, permanent or regular capacity, declared unlawful or prohibited by the Code, shall constitute grounds for administrative disciplinary action, and without prejudice to criminal and civil liabilities provided herein, such as:

(a) Directly or indirectly having financial and material interest in any transaction requiring the approval of his office. Financial and material interest is defined as a pecuniary or proprietary interest by which a person will gain or lose something;

(b) Owning, controlling, managing or accepting employment as officer, employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise regulated, supervised or licensed by his office, unless expressly allowed by law;

(c) Engaging in the private practice of his profession unless authorized by the Constitution, law or regulation, provided that such practice will not conflict or tend to conflict with his official functions;

(d) Recommending any person to any position in a private enterprise which has a regular or pending official transaction with his office, unless such recommendation or referral is mandated by (1) law, or (2) international agreements, commitment and obligation, or as part of the functions of his office;

These acts shall continue to be prohibited for a period of one (1) year after resignation, retirement, or separation from public office, except in the case of paragraph (c) above, but the professional concerned cannot practice his profession in connection with any matter before the office he used to be with, within one year after such resignation, retirement, or separation provided that any violation hereof shall be a ground for administrative disciplinary action upon re-entry to the government service.

(e) Disclosing or misusing confidential or classified information officially known to him by reason of his office and not made available to the public, to further his private interests or give undue advantage to anyone, or to prejudice the public interest;

(f) Soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his official duties or in connection with any operation being regulated by, or any

transaction which may be affected by the functions of, his office. The propriety or impropriety of the foregoing shall be determined by its value, kinship or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently or manifestly excessive by its very nature.

Gift refers to a thing or a right disposed of gratuitously, or any act of liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof.

Loan covers both simple loan and commodatum as well as guarantees, financing arrangement or accommodations intended to ensure its approval. Commodatum refers to a contract whereby one of the parties delivers to another something not consumable so that the latter may use the same for a certain time and return it.

This prohibition shall not include:

(1) Unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee or given after the transaction is completed, or service is rendered. As to what is a gift of nominal value will depend on the circumstances of each case taking into account the salary of the official or employee, the frequency or infrequency of the giving, the expectation of benefits, and other similar factors.

(2) A gift from a member of his family or relative as defined in the Code on the occasion of a family celebration, and without any expectation of pecuniary gain or benefit.

(3) Nominal donations from persons with no regular, pending, or expected transactions with the department, office or agency with which the official or employee is connected, and without any expectation of pecuniary gain or benefit.

(4) Donations coming from private organizations whether local or foreign, which are considered and accepted as humanitarian and altruistic in purpose and mission.

(5) Donations coming from government to government entities.

As to gift or grants from foreign governments, the Congress consents to:

(i) The acceptance and retention by public official or employee of a gift of nominal value tendered and received as a souvenir or mark of courtesy;

(ii) The acceptance and retention by public official or employee of gift in the nature of a scholarship or fellowship grant or medical treatment; or

(iii) The acceptance by a public official or employee of travel grant or expenses for travel taking place entirely outside the Philippines (such as allowances, transportation, food and lodging) of more than nominal value if such acceptance is appropriate or consistent with the interests of the Philippines, and permitted by the head of office, branch, or agency to which he belongs.

Nothing in the Code shall be construed to restrict or prohibit any educational, scientific or cultural exchange programs subject to national security requirements.

(g) Obtaining or using any statement filed under the Code for any purpose contrary to morals or public policy or any commercial purpose other than by news and communications media for dissemination to the general public;

(h) Unfair discrimination in rendering public service due to party affiliation or preference;

(i) Disloyalty to the Republic of the Philippines and to the Filipino people;

(j) Failure to act promptly on letters and request within fifteen (15) days from receipt, except as otherwise provided in these Rules;

(k) Failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof, except as otherwise provided in these Rules;

(l) Failure to attend to anyone who wants to avail himself of the services of the office, or to act promptly and expeditiously on public personal transactions;

(m) Failure to file sworn statements of assets, liabilities and net worth and disclosure of business interests and financial connections; and

(n) Failure to resign from his position in the private business enterprise within thirty (30) days from assumption of public office when conflict of interest arises, and/or failure to divest himself of his shareholdings or interests in private business enterprise within sixty (60) days from such assumption of public office when conflict of interest arises, the official or employee must either resign or divest himself of said interests within the periods herein-above provided, reckoned from the date when the conflict of interest had arisen.

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Rule XI

Penalties

Section 1. Any official or employee regardless of whether or not he holds office or employment in casual, temporary, holdover, permanent or regular capacity, committing any violation of the Code shall be punished with a fine not exceeding the equivalent of six months (6) salary or suspension not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency. If the violation is punishable by a heavier penalty under another law, he shall be prosecuted under the latter statute. Violations of Section 7, 8, or 9 of the Code shall be punishable with imprisonment not exceeding five (5) years, or a fine not exceeding five thousand pesos (P5,000.00) or both, and in the discretion of the court of competent jurisdiction, disqualification to hold public office.

Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of an official or employee, even if no criminal prosecution is instituted against him.

Private individuals who participate in conspiracy as co-principals, accomplices or accessories, with officials or employees, in violation of the Code, shall be subject to the same penal liabilities as the officials or employees and shall be tried jointly with them.

The official or employee concerned may bring an action against any person who obtains or uses a report for any purpose prohibited by Section 8 (d) of the Code. The Court in which such action is brought may assess against such person a penalty in any amount not to exceed twenty five thousand pesos (P25, 000.00). If another sanction hereunder or under any other law is heavier, the latter shall apply.

Section 2. Administrative proceedings for violation of these Rules shall be in accordance with Civil Service Law and Rules.

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Rule XII

Free Voluntary Service

Section 1. (a) Free voluntary service refers to services rendered by persons who are in government without pay or compensation.

(b) The requirements of free voluntary service are as follows:

- (1) Issuance of an appropriate document;
- (2) Fitness and suitability for the duties and responsibilities of the particular position; and
- (3) Compliance with rule on nepotism

(c) The following are the functions or services that volunteers can perform:

- (1) Advisory
- (2) Consultancy or counseling
- (3) Recommendatory;
- (4) Professional Services;
- (5) Staff work such as planning or research; or
- (6) Humanitarian.

(d) Those who render free voluntary service to the government are covered by the following:

- (1) Laws on rewards and incentives;
- (2) Norms of conduct and ethical standards;
- (3) Duties and obligations of public officers and employees;
- (4) Prohibitions and sanctions enumerated in these Rules; and
- (5) Civil and criminal liability.

(e) Those who render free voluntary service are, however, liabilities and net worth and financial disclosures, the requirement on divestment and the appropriate eligibility requirement, for their designations, and shall not enjoy security of tenure.

Unless otherwise provided in the terms of their designations, volunteers are prohibited from:

- (1) Exercising supervisory functions over personnel;
- (2) Exercising functions of position involving national security;
- (3) Having access to confidential or classified information unless authorized by proper authorities;
- (4) Occupying regular plantilla positions;
- (5) Having such services credited as government service and availing themselves of retirement benefits;
- (6) Using facilities and resources of the office for partisan political purposes; and
- (7) Receiving any pecuniary benefits such as honoraria, allowances and other perquisites of office.

Rule XIII

Amendment

Section 1. The Civil Service Commission may amend or modify these Rules as may be necessary.

Rule XIV

Effectivity

Section 1. These Rules shall take effect thirty (30) days following the completion of their publication in the Official Gazette or in a newspaper of general circulation.