NATIONAL ADMINISTRATIVE REGISTER · AUGUST 8, 1995

RESPONSIBILITIES OF THE DIVISION CHIEF (SECTION CHIEF FOR OUTPORTS) IN THE CONDUCT OF INVESTIGATION OF MISFEASANCE IN OFFICE

BOC MEMORANDUM ORDER NO. 21-95, August 08, 1995

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I.
Objectives

A. To prevent the commission of the same or similar offense by a Customs employee suspected of having committed misfeasance in office punishable under Civil Service Code of Conduct;

B. To secure and preserve evidence of the offense committed in order to ensure the successful prosecution thereof;

C. To ensure that immediate measures are undertaken by the Division Chief concerned to prevent the recurrence of the same or similar offense.

D. To provide accountability and responsibility on the Division Chief concerned in cases of recurrence of the same or similar offense;

E. To expedite the conduct of the preliminary investigation.

II.
General Provisions

1. If an offense is committed and there is reasonable ground to believe, even before the conduct of the preliminary investigation, that a Customs employee is probably guilty thereof, as in cases where the offense committed is documented or if the employee is caught red-handed, the Division Chief concerned shall cause his immediate relief and immediately recommend to the District Collector/Service Chief his transfer to a non-sensitive assignment, where he can make himself available for the investigation and where he cannot influence the outcome thereof.

2. The Head of the Division concerned shall conduct an initial investigation and submit an Incident Report with his findings and recommendations (Annex "A") to the District Collector/Service Chief. He should also recommend measures to prevent the recurrence of the same or similar offense in his area of supervision.

3. The Head of the Division concerned shall be responsible in securing and safeguarding all available evidences to ensure the successful prosecution of the case.

4. The responsibilities herein imposed on the Division Chief are not discharged even if the offense is discovered by any of the investigating offices of the Bureau. Except when the successful conduct of the investigation by the said office will be put in jeopardy for any breach of confidentiality, the said office shall immediately notify the Division Chief concerned of the offense, so that the latter can comply with his responsibilities.

5. Copies of the Incident Report and the measures and actions taken, in NO. 2 above, shall be furnished the

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Commissioner, Attn: The Special Assistant to the Commissioner for Discipline and Morale, who shall advise the Commissioner on whatever actions that need to be taken by the Bureau.

All rules and regulations inconsistent herewith are deemed repealed and/or modified accordingly.

This Order shall take effect on 15 August 1995.

Adopted: 08 Aug. 1995

(SGD.) GUILLERMO L. PARAYNO, JR.
Commissioner

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