NATIONAL ADMINISTRATIVE REGISTER · APRIL 4, 2005

DELEGATION OF FINAL APPROVING AUTHORITY TO THE DEPUTY OMBUDSMAN FOR LUZON, DEPUTY OMBUDSMAN FOR VISAYAS AND DEPUTY OMBUDSMAN FOR MINDANAO

OTO OFFICE ORDER NO. 40-05, April 04, 2005

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In the exigency of the service, except when otherwise ordered by the Ombudsman, the disposition of administrative and criminal cases involving any of the following, viz:

1) City and Municipal mayors;

2) Provincial vice-governors, members of the sangguniang panlalawigan, provincial treasurers, assessors, engineers and other provincial department heads;

3) City vice-mayors, members of the sangguniang panlungsod, city treasurers, assessors, engineers and other city department heads;

4) Assistant city and provincial prosecutors;

5) Regional Directors and Assistant Regional Directors;

6) Presidents, directors or trustees, or managers of state universities or educational institutions or foundations;

7) Chancellors of state universities, colleges and other educational institutions or foundations;

8) Director-Generals of government/public hospitals and/or medical institutions; and

9) Labor arbiters,

as the highest ranking respondent, where the offense charged involves injury or damage amounting to, or valued at, Two Million Pesos (P2,000,000.00) or less, or where the maximum imposable penalty for any of the offense charged does not exceed twenty (20) years imprisonment, shall be subject to the final approval of the Deputy Ombudsman concerned; provided, that, where the offense charged involves injury or damage amounting to, or valued at, more than Two Million Pesos (P2,000,000.00), or where the maximum imposable penalty for any of the offense charged is more than twenty (20) years imprisonment, the disposition shall be subject to the final approval of the Ombudsman.

In the foregoing dispositions that are subject to the final approval of the Deputy Ombudsman concerned, the undersigned hereby delegates to the latter further authority to approve and sign any corresponding criminal information, whether to be filed with the regular courts or the Sandiganbayan; provided, however, that, preparatory to the filing of the information with the Sandiganbayan, the Office of the Special Prosecutor may review and modify the same, subject to the approval of the Special Prosecutor, without departing from, or varying in any way, the contents of the basic Resolution, Order or Decision.

Copies of the Resolutions, Orders and Decisions issued by the area offices by virtue of this Office Order shall be submitted on a monthly basis to the Ombudsman.

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This Office Order is being issued to consolidate the contents of existing office orders, to wit: Office Order No. 05-11, dated 19 January 2005; Office Order No. 03-97, dated 15 September 2003; Office Order No. 03-116, dated 17 October 2003; Office Order No. 04-32, dated 12 May 2004; and Office Order No. 04-45, dated 8 July 2004. Said Office Orders are deemed superseded by this Office Order.

On the other hand, Office Order No. 20-04, issued on 2 March 2004, which requires that all dispositions in cases involving officials and employees of the Bureau of Internal Revenue (BIR) and the Bureau of Customs (BOC) be submitted for final approval to the Tanodbayan, except when otherwise ordered by the Tanodbayan in specific cases, shall continue to be effective.

This Office Order shall take effect immediately and shall remain effective until revoked by the Tanodbayan.

Adopted: 04 April 2005

(SGD.) SIMEON V. MARCELO
Tanodbayan

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