NATIONAL ADMINISTRATIVE REGISTER · JULY 31, 2000

AMENDING SECTION 7, RULE III OF ADMINISTRATIVE ORDER NO. 07

OTO ADMINISTRATIVE ORDER NO. 14, S. 2000, July 31, 2000

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PURSUANT to the authority vested in the Office of the Ombudsman under Section 13(8), Article XI of the 1987 Constitution and Sections 18, 23 and 27 of Republic Act No. 6770, otherwise known as the "The Ombudsman Act of 1989", more specifically Sec. 27 thereof which authorizes the Office of the Ombudsman to amend or modify the rules on the effectivity and finality of decision as the interest of justice may require, and in order to provide uniformity with other disciplining authorities on the matter of execution or implementation of judgments/penalties in administrative disciplinary cases involving public officials and employees, whether elective or appointive, high-ranking or low-ranking, national or local, permanent or temporary, or however classified, Section 7, Rule III of Administrative Order No. 07, as amended, prescribing the Rules of Procedure of the Office of the Ombudsman, is hereby amended to read as follows:

> "Section 7. Finality and execution of decision — Where the respondent is absolved of the charge, and in case of conviction where the penalty imposed is public censure or reprimand, suspension of not more than one month, or a fine equivalent to one month salary, the decision shall be final and unappealable. In all other cases, the decision may be appealed within ten (10) days from receipt thereof, unless a motion for reconsideration or petition for certiorari shall have been filed by the respondent, as prescribed in Section 27 of RA 6770.
>
> An appeal shall not stop the decision from being executory, and in case the penalty is suspension or removal, the respondent shall be considered as having been under preventive suspension during the pendency of the appeal in the event he wins such appeal and shall be paid his salary and such other emoluments during the pendency of the appeal."

This Administrative Order shall immediately take effect upon completion of its publication in a newspaper of general circulation. Three (3) certified copies of this order shall be filed with the University of the Philippines Law Center.

Adopted: 31 July 2000

(SGD.) ANIANO A. DESIERTO
Ombudsman

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