

AMENDMENT TO MEMORANDUM CIRCULAR NO. 2 (ADDITIONAL GUIDELINES ON THE SUBMISSION OF STATEMENTS OF ASSETS, LIABILITIES, AND NET WORTH (SALNS) AND DISCLOSURES OF BUSINESS INTERESTS...

MEMORANDUM CIRCULAR NO. 1, S. 2018, July 12, 2018

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Adopted: 29 June 2018

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Section 8 of Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) provides that Constitutional and National Elective Officials shall file the Statement of Assets, Liabilities and Net Worth (SALN) with the National or Central Office of the Office of the Ombudsman.

Section 8 likewise provides that “[a]ll other public officials and employees, defined in Republic Act No. 3019, as amended” shall file the SALN with the Civil Service Commission. Accordingly, the SALNs of the officials of the Office of the Ombudsman are collated by its Human Resource Management Division for submission to Civil Service Commission, with copies thereof retained by this Office.

The Civil Service Commission, as the rule-making authority for carrying out the provisions of Rep. Act No. 6713, has interpreted Sec. 8 through Memorandum Circular No. 03, s. 2015, providing that the Office of the Ombudsman is the repository agency for the SALN of President; the Vice- President; the Chairpersons and Commissioners of the Commission on Audit, Commission on Elections, and the Civil Service Commission; and the Ombudsman and his or her Deputies.

Through inadvertence, however, Memorandum Circular No. 02, s. 2017, issued by this Office has included “[o]fficials and employees of Departments, bureaus and agencies, including Government-owned and/or Controlled Corporations with and without original charter and their subsidiaries, State Colleges and Universities, and Local Government Units, the offices of which are located in the National Capital Region” as among the officials that shall file the SALN with the National or Central Office of the Office of the Ombudsman.

The inadvertent inclusion of the aforesaid officials who should file their SALNs with this Office is hereby corrected under the principle that an administrative issuance, such as Memorandum Circular No. 02, s. 2017, cannot rise above its source, Republic Act No. 6713, to expand the ambit of its authority as repository of the SALN.

Accordingly, Memorandum Circular No. 02, s. 2017, is hereby amended to exclude the officials and employees of central or main offices of national government agencies and those in the field offices such agencies who are stationed in the National Capital Region (NCR).

Henceforth, the Central Records Division of the National or Central Office of the Office of the Ombudsman shall no longer receive the SALN of the affected aforementioned officials and employees.

29 June 2018, Quezon City, Philippines.

(SGD) CONCHITA CARPIO MORALES
Ombudsman

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