

AMENDING CERTAIN RULES ON DISCIPLINE OF GOVERNMENT OFFICIALS AND EMPLOYEES

PRESIDENTIAL DECREE NO. 6, September 27, 1972

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WHEREAS, under Presidential Decree No. 1, dated. September 24, 1972, the Integrated Reorganization Plan was adopted and made part of the law of the land;

WHEREAS, in the reorganization of the Government it is necessary that we clean the public service of undesirable officials and employees; and

WHEREAS, it is essential that administrative cases against such officials and employees be disposed of in the most expeditious manner;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, do hereby promulgate the following amendatory rules on the administrative discipline of government officials and employees:

"SECTION 1. Grounds for disciplinary action. — The following shall be grounds for disciplinary action:

- Dishonesty.
- Oppression.
- Misconduct.
- Neglect of duty.
- Disgraceful and immoral conduct.
- Being notoriously undesirable, which is of common knowledge.
- Discourtesy in the course of official duties.
- Inefficiency and incompetence in the performance of official duties.
- Receiving for personal use a fee, gift, or other valuable thing in the course of official duties or in connection therewith when such fee, gift, or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded other persons, or committing acts punishable under the anti-graft laws.
- Conviction of a crime involving moral turpitude.
- Improper or unauthorized solicitation of contributions from subordinate employees and by teachers or school officials from school children.
- Violation of existing Civil Service Law and rules or reasonable office regulations.

- Falsification of official document.
- Frequent unauthorized absences or tardiness in reporting for duty, loafing or frequent unauthorized absences from duty during regular office hours.
- Habitual drunkenness.
- Gambling prohibited by law.
- Refusal to perform official duty or render overtime service.
- Disgraceful, immoral or dishonest conduct prior to entering the service.
- Physical or mental incapacity or disability due to immoral or vicious habits.
- Borrowing money by superior officers from subordinates or lending by subordinates to superior officers.
- Lending money at usurious rates of interest.
- Willful failure to pay just debts or willful failure to pay taxes due the Government.
- Contracting loans of money or other property from persons with whom the office of the employee concerned has business relations.
- Pursuit of private business, vocation or profession without the permission required by these rules or existing regulations.
- Insubordination.
- Engaging directly or indirectly in partisan political activities.
- aa. Conduct prejudicial to the best interest of the service.
- bb. Lobbying for personal interest or gain in legislative halls and offices without authority.
- cc. Promoting the sale of tickets in behalf of private enterprises that are not intended for charitable or public welfare purposes and even in the latter cases if there is no prior authority.
- dd. Nepotism as defined in Section 30 of the Civil Service Law, as amended.

"SEC. 2. Disciplinary jurisdiction. — The Department Head shall have authority to remove, separate, suspend and otherwise discipline officers and employees under their jurisdiction, except presidential appointees. Their decisions shall be final, except in the case of removal. In case the penalty imposed is removal, the respondent may appeal the decision to the Civil Service Commission. An appeal shall not stop the decision from being executory, and in the event that the respondent wins on appeal, he shall be considered as having been under suspension during the pendency of the appeal.

Chiefs of bureaus and offices shall investigate and decide administrative complaints against employees under their jurisdiction. Their decision shall be final if the penalty imposed is suspension without pay for not more than 30 days or fine of not more than 30 days' salary. If the penalty imposed is higher, the decision may be appealed to the Department Head, and pending appeal, the same shall be executory except when the penalty is removal.

An investigation may be entrusted to regional directors or similar officials who shall make the necessary report and recommendation to the chief of bureau or office within five (5) days from termination of the investigation which shall be finished within ten (10) days.

"SEC. 3. Summary proceedings. — No formal investigation is necessary and the respondent may be immediately removed or dismissed if any of the following circumstances is present:

- When the charge is serious and the evidence of guilt is strong.
- When the respondent is a recidivist or has been repeatedly charged, and there is reasonable ground to believe that he is guilty of the present charge.
- When the respondent is notoriously undesirable.

"SEC. 4. Repealing clause.—Any provisions or existing laws, rules and regulations in conflict with this Decree are hereby modified or repealed accordingly.

"SEC. 5. Effectivity.—This Decree shall take effect immediately."

Done in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

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