

Republika ng Filipinas
(Republic of the Philippines)
KAGAWARAN NG EDUKASYON, KULTURA AT ISPORTS
(DEPARTMENT OF EDUCATION, CULTURE AND SPORTS)
Manila

June 23, 1989

DECS O R D E R
No. 56, s. 1989

GUIDELINES ON THE FILING OF STATEMENT OF ASSETS, LIABILITIES
AND NETWORTH AND A DISCLOSURE OF BUSINESS INTERESTS AND
FINANCIAL CONNECTIONS PURSUANT TO R.A. NO. 6713
AND ITS IMPLEMENTING RULES

To: Undersecretaries
Assistant Secretaries
Bureau Directors/Cultural Agency Directors
Regional Directors
Schools Superintendents
Chiefs of Services and Heads of Units/Centers
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

To enhance and give full meaning that a public office is a public trust, and those holding public positions shall at all times be accountable to the people, and as a policy of the State to promote a high standard of ethics in public service, and to keep faith with his commitment to the Filipino people, these guidelines as regards the requirements for public disclosures by all officials and employees of the Department are hereby issued.

1. Coverage - Every official and employee, except those who serve in an official honorary capacity, without service credit or pay, temporary laborers and casual or temporary and contractual workers, shall file under oath their statement of assets, liabilities and networth and a disclosure of business interests and financial connections including those of their spouses and unmarried children under eighteen (18) years of age living in their households, in the prescribed form.

2. Contents of Statement: The Statement of Assets and Liabilities and Networth shall contain information on the following:

- a. real property, its improvements, acquisition costs, assessed value, and current fair market value;
- b. personal property and acquisition costs;
- c. all other assets such as investments, cash on hand, or in banks, stocks, bonds and the like; and
- d. all financial liabilities, both current and long-term.

The Disclosure of Business Interests and Financial Connections shall contain information on any existing interests in, or any existing connection with any business enterprises or entities, whether as proprietor, inventor, promoter, partner, shareholder, officer, managing director, executive, creditor, lawyer, legal consultant or adviser, financial or business consultant, accountant, auditor, and the like, the names and addresses of the business enterprises or entities, the dates when such interest or connections were established, and such other details as will show the nature of the interests or connections.

3. When to file: The Statement of Assets and Liabilities and Networth and the Disclosure of Business Interests and Financial Connections, both of which shall be under oath must be filed:

- a. within thirty (30) days after assumption of office, statements of which must be reckoned as of first day of service;
- b. on or before April 30 of every year thereafter, statements of which must be reckoned as of the end of the preceding year; or
- c. within thirty (30) days after separation from the service, statements of which must be reckoned as of his last day of office.

All Statement of Assets and Liabilities and Networth, as of December 31, 1988, of officials and employees, now on file with their respective agencies shall constitute sufficient compliance with the requirements of RA 6713 and they shall be required to accomplish and file the new form as prescribed in these Rules on or before April 30, 1990, and every year thereafter.

Married couples who are both public officials or employees may file the required statements jointly or separately.

4. Where to file: The Statement of Assets, Liabilities and Networth and the Disclosure of Business Interests and Financial Connections shall be filed by the:

- a. with the Office of the President: for national executive officials such as members of the Cabinet, Undersecretaries and Assistant Secretaries, and heads of state colleges and universities;
- b. with the Deputy Ombudsman in their respective regions: for regional officials and employees, including those of state colleges and universities;
- c. with the Civil Service Commission: for all other officials and employees defined in Republic Act No. 3019, as amended.

A copy of said statement shall also be filed within the department's central office, regional offices or agencies.

5. Standing Authority: Every official and employee shall also execute, within thirty (30) days from date of assumption of office, the necessary authority in favor of the Ombudsman to obtain, from all the appropriate government agencies, including the Bureau of Internal Revenue, such documents as may show their assets, liabilities and networth, and also their business interests, and financial connections in previous years, including, if possible, the year when they first assumed any office in the government.

6. Identification and Disclosure of Relatives: Every official or employee shall identify and disclose under oath to the best of his knowledge and information, his relatives in the government up to the fourth degree of relationships, (first cousins or great grandfathers) either by consanguinity or affinity, including bilas, inso and balas, in the prescribed form; a) the information contained therein must be reckoned as of the end of the preceding year, b) on or before April 30 of every year thereafter reckoned as of the end of the preceding year, or c) within thirty (30) days after separation from the service, reckoned as of his last day of office.

7. Statements Subject to Public Inspection:

- a. Any and all statements filed in accordance with RA 6713, shall be made available for public inspection at reasonable hours.
- b. Such statements shall be made available for copying or reproduction after ten (10) working days from the time they are filed as required by law, unless extended for meritorious reasons.
- c. Any duly authorized person requesting a copy of a statement shall be required to pay a reasonable fee as may be determined and prescribed by the Civil Service Commission to cover the cost of reproduction and mailing of such statements, as well as the cost of certification.
- d. Any statement filed under the Code shall be available to the public, subject to the foregoing limitations, for a period of ten (10) years after receipt of the statement. The statement may be destroyed after such period unless needed in an ongoing investigation.

8. Review and Compliance Procedures: For purposes of establishing compliance procedures, for the review of statements to determine whether said statements have been properly accomplished, the appropriate issuance therefor, as authorized by law subject to the approval of the Department of Justice, shall be made later.

9. Penalties: Any official or employee, whether appointive or contractual, permanent, temporary or casual, committing any violation of Republic Act 6713 shall be punished with a fine not exceeding the equivalent of six (6) months salary or suspension not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency. If the violation is punishable by a heavier penalty under another law, he shall be prosecuted under the latter statute. Violations of Section 7, (Prohibited Acts and Transactions), 8 (Statements and Disclosures) or 9 (Divestment) of the Code (RA 6713) shall be punishable with imprisonment not exceeding five (5) years, or a fine not exceeding Five Thousand Pesos (P5,000.00) or both, and, in the discretion of the court of competent jurisdiction, disqualification to hold public office.

10. Effectivity and Compliance: This Order shall be effective upon its approval, and strict compliance thereof is enjoined.

(SGD.) LOURDES R. QUISUMBING
Secretary

Reference:
DECS Order: No. 53, s. 1989

Allotment: 1-2-3--(M.O. 1-87)

To be indicated in the Perpetual Index
under the following subjects:

BUREAUS & OFFICES
EMPLOYEES
LEGISLATION
OFFICIALS
RULES & REGULATIONS