

REPUBLIKA NG PILIPINAS
PAMBANSANG PANGASIWAAN NG PATUBIG
(National Irrigation Administration)
Lungsod ng Quezon

MC # 85, s. 2007

MEMORANDUM CIRCULAR


TO : THE DEPUTY ADMINISTRATOR, ASSISTANT ADMINISTRATORS, DEPARTMENT / REGIONAL / OPERATIONS / PROJECT MANAGERS, PROVINCIAL IRRIGATION OFFICERS, IRRIGATION SUPERINTENDENTS, AND ALL OTHERS CONCERNED

SUBJECT : **CODE OF CONDUCT FOR OFFICIALS AND EMPLOYEES OF THE NATIONAL IRRIGATION ADMINISTRATION**

Under the approved Integrity Development Action Plan (IDAP) of the Agency, the dissemination of a Code of Conduct for Officials and Employees of the National Irrigation Administration is among the activities to be undertaken.

In view hereof, the attached Code of Conduct is hereby distributed to your respective offices. It is hereby directed that a copy of this Code be displayed/posted in conspicuous places and/or sufficient copies made available to all employees for their information and guidance.

For your strict compliance.


MARCELINO V. TUGAOEN, JR.
Administrator

Date: December 12, 2007

CODE OF CONDUCT FOR OFFICIALS AND EMPLOYEES OF THE NATIONAL IRRIGATION ADMINISTRATION

WHEREAS, under Article XI, Section 1 of the 1987 Constitution, public office is a public trust, and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, loyalty and efficiency, act with patriotism and justice, and lead modest lives;

WHEREAS, Republic Act No. 6713 and Civil Service rules contain provision governing the ethical conduct of government officials and employees;

WHEREAS, in addition to the foregoing constitutional and legal precepts and consistent with the policy of the government to foster a transparent and effective governance, there is a need to adopt norms of conduct that are specific to personnel of the National Irrigation Administration (NIA).

NOW, THEREFORE, the Code of Conduct for Officials and Employees of the National Irrigation Administration is hereby promulgated as follows:

RULE I APPLICATION OF THE CODE

SECTION 1. This Code of Conduct for Officials and Employees of NIA shall be applicable to all officials and employees of NIA irrespective of the nature of their appointment.

RULE II FIDELITY TO DUTY

SECTION 1. NIA officials and employees shall not use their official position to secure unwarranted benefits, privileges or exemptions for themselves or for others.

SECTION 2. NIA officials and employees as well as their families shall lead modest lives appropriate to their positions and income. They shall not indulge in extravagant or ostentatious display of wealth in any form.

SECTION 3. NIA officials and employees shall not discriminate by dispensing special favors to anyone. They shall not allow kinship, rank, position, creed or religion, or favors from any party to influence their official acts, duties and functions.

SECTION 4. NIA officials and employees shall not accept any fee or remuneration other than what they receive or are entitled to in their official capacity, unless otherwise authorized by law, executive orders or similar issuances.

SECTION 5. NIA officials and employees shall use the resources, property and funds of the Agency in their custody in an official matter and in a judicious manner and solely in accordance with the prescribed statutory and regulatory guidelines or procedures.

RULE III CONFIDENTIALITY

SECTION 1. NIA officials and employees shall not disclose to any unauthorized person any confidential information acquired by them in official capacity while employed in the Agency, whether such information came from authorized or unauthorized sources.

Confidential information means information not yet made a matter of public record relating to pending cases, as well as information not yet made public concerning the work of any personnel relating to pending cases, including notes, drafts, research papers, internal discussions, internal memoranda, records of internal deliberations, and similar papers.

The notes, drafts, research papers, internal discussions, internal memoranda, records of internal deliberations and similar papers that a personnel uses in preparing a decision, resolution or order shall remain confidential.

SECTION 2. Confidential information available to specific individuals by reason of statute, rule or administrative policy shall be disclosed only by persons authorized to do so.

SECTION 3. Unless expressly authorized by the designated authority, no NIA official or employee shall disclose confidential information given by witnesses or resource persons to any NIA office conducting hearing of administrative cases or study on matters affecting NIA policy.

RULE IV CONFLICT OF INTEREST

SECTION 1. NIA officials and employees shall avoid conflicts of interest in performing their official duties. Every personnel is required to exercise utmost diligence in being aware of conflicts of interest, disclosing conflicts of interest to the designated authority, and terminating them as they arise.

(a) A conflict of interest arises when:

- (i) the ability or independence of judgment in performing official duties is impaired or may reasonably appear to be impaired; or
- (ii) financial gain by the NIA official or employee, their immediate family, their common-law relations or their business or other financial interest would be derived because of the personnel's official act.

SECTION 2. NIA officials and employees shall not:

- (a) Enter into any contract with the Agency for services, lease or sale of property apart from the employment contract relating to the personnel's position nor use that position to assist any member of the personnel's immediate family in securing a contract with the Agency.
- (b) Receive tips or other remuneration for assisting or attending to parties engaged in transactions or involved in actions or proceedings in any office within the Agency.
- (c) Knowingly employ or recommend for employment any member of his/her immediate family in the Agency. The term "immediate family" shall include the following, whether related by blood or adoption: (a) spouse, (b) children, (c) brother, (d) sister, (e) parent, (f) grandparent, (g) grandchildren
- (d) Solicit or accept any gift, loan, gratuity, discount, favor, hospitality, service or benefit under any circumstances from any person who has transactions with the Agency, or any person acting for and in behalf of any entity transacting business with NIA.

SECTION 3. Nothing in Section 2 above shall prohibit any NIA official or employee from (a) accepting invitations to, or attending social functions in relation to the personnel's official duties, (b) accepting a public award presented in recognition of public services; (c) receiving a commercially reasonable loan made as part of the ordinary transaction of the lender's business; (d) donating to the Agency for the benefit of a group of NIA personnel (e.g. all the personnel of an office or unit of the Agency); *Provided*, that the award, loan or donation is from a person or entity other than that mentioned in Section 2(e) above.

SECTION 4. To ensure compliance with the provisions of this Rule on Conflict of Interest, NIA officials who have authority to enter into or approve contracts in behalf of the Agency shall file a financial disclosure statement with the designated authority at the beginning and upon termination of employment in such position, and annually while so employed. The disclosure shall follow the guidelines established by the designated authority, and shall include all sources of personal and business income, including investments in personal or real property as well as all income received by their spouses or dependent children.

SECTION 5. The full-time position in the Agency of every NIA official and employee shall be the personnel's primary employment. For purposes of this Code, "primary employment" means the position that consumes the entire normal working hours of the personnel and requires the personnel's exclusive attention in performing official duties.

Unless otherwise provided by law, no officer or employee shall engage directly or indirectly in any private business or profession without a written permission from the head of agency: *Provided*, That this prohibition will be absolute on the case of those officers and employees whose duties and responsibilities require their entire time be at the disposal of the government: *Provided further*, That if an employee is granted permission to engage in outside activities, the time devoted outside of office hours should be fixed by the head of the agency so that it will not impair in any way the

efficiency of the officer or employee nor pose a conflict or tend to conflict with the official functions.

Where a conflict of interests exist, may reasonably appear to exist, or where the outside employment reflects adversely on the integrity of the Agency, no NIA official or employee shall seek/accept the outside employment.

RULE V PERFORMANCE OF DUTIES

SECTION 1. Personnel shall, at all times, perform official duties properly and with diligence. They shall commit themselves exclusively to the business and responsibilities of their office during working hours.

SECTION 2. NIA officials and employees shall carry out their responsibilities as public servants in as courteous a manner as possible.

SECTION 3. NIA officials and employees shall not alter, falsify, destroy or mutilate any record within their control.

This provision does not prohibit amendment, correction or expungement of records or documents pursuant to a lawful order from authorized NIA official/s.

SECTION 4. In performing official duties, NIA officials and employees shall not discriminate nor manifest, by word or conduct, bias or prejudice based on race, religion, national or ethnic origin, perceived economic status, gender or political affiliation.

SECTION 5. NIA officials and employees shall expeditiously enforce rules and implement lawful orders of the constituted authorities within the limits of their authority.

SECTION 6. NIA officials and employees shall act on and dispose of a written request, whether verbal or written, immediately, and in no case beyond fifteen (15) days from receipt of the request, petition or motion, subject to Rule III of this Code.

RULE VI INCORPORATION OF OTHER RULES

SECTION 1. All provisions of law, Civil Service rules, and administrative issuances governing or regulating the conduct of public officers and employees applicable to the NIA are deemed incorporated into this Code. In case of conflict between this Code and the existing provisions of law, Civil Service rules, and administrative issuances governing or regulating the conduct of public officers and employees, the latter shall prevail and this Code shall be applied in suppletory character.

**RULE VII
FILING OF COMPLAINT**

SECTION 1. Any complaint against any NIA official or employee regarding any violation of this Code shall be subject to disciplinary action pursuant to the Rules of the NIA Committee on Discipline.

**RULE VIII
EFFECTIVITY and DISSEMINATION**

SECTION 1. This Code shall take effect immediately upon its approval. The Public Affairs and Information Staff (PAIS) and the Management Services Department (MSD) are hereby directed to disseminate, through appropriate channels and modes of communication, this Code for the guidance of all concerned.

Quezon City, November _____, 2007.



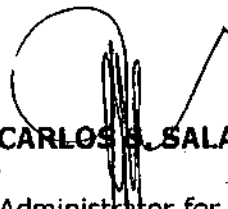
MARCELINO V. TUGAOEN, Jr.
Administrator



SERAFIN A. PALTENG
OIC, Deputy Administrator



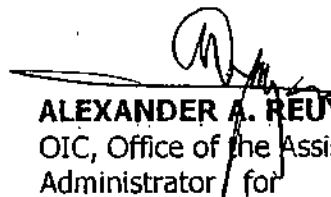
ANTONIO A. GALVEZ
Assistant Administrator for
Project Development and
Implementation (PDI)



CARLOS S. SALAZAR
Assistant
Administrator for Systems,
Operation and Equipment
Management (SOEM)



TEODORO A. VELASCO
Assistant Administrator for
Finance and Management (F&M)



ALEXANDER A. REUYAN
OIC, Office of the Assistant
Administrator for
Administrative Services (AS)