

[ADMINISTRATIVE ORDER NO. 346, December 10, 1997]

IMPOSING THE PENALTY OF SIX MONTHS SUSPENSION FROM OFFICE ON FOREIGN SERVICE OFFICER I JOSE P. AMPESO OF THE DEPARTMENT OF FOREIGN AFFAIRS

Before this Office is the 06 January 1997 recommendation of Secretary of Foreign Affairs Domingo L. Siazon, Jr. on the findings made by the Investigating Committee and affirmed by the Board of Foreign Service Administration regarding the administrative charges filed against Foreign Service Officer I Jose P. Ampeso.

The charges, based on the complaints filed by Foreign Service Staff Employee II Benjamin Laplana and Foreign Service Staff Officer II Amelita G. Almeda are as follows: a) grave misconduct; b) falsification of official documents; c) conduct prejudicial to the best interest of the service; and d) violation of Civil Service Law, Rules and Regulations.

On 19 May 1994, the Board of Foreign Service Administration, acting on the charges, created an Investigation Committee to hear the case. During the proceedings, the complainants and the respondent were represented by counsel.

On the basis of the hearings conducted and the evidence on record, the Investigating Committee found Ampeso guilty of all the charges.

Regarding Laplana's complaint, the Committee determined that a certification of his emoluments was submitted to the Bureau of Customs and to the Department of Finance to enable him to import a Range Rover to the country, free of duties and taxes. The Office of Personnel and Administrative Services denied having issued a certification on the emoluments. The Department of Foreign Affairs likewise had no record of the said certificate.

Although there was no direct evidence to show that the respondent falsified the documents submitted to the Bureau of Customs, the Committee considered the following circumstantial evidence to prove Ampeso's participation in and awareness of the transaction: a) taking advantage of his position and friendship with Mr. Laplana, then assigned at the Philippine Embassy in Jakarta, respondent convinced him to fax his passport and identification card, the same documents that were later used in the duty-free importation of the Range Rover; b) on two occasions respondent received money from Ampeso, the first being US \$200.00 that was given when the documents were being processed and the P25,000.00 received after the release of the Range Rover; c) Ampeso arranged the meeting wherein a special power of attorney concerning the said vehicle was executed between Laplana and a certain Mr. Ricafort.

Anent the complaint filed by Mrs. Almeda, the Committee established that complainant's DFA ID and a photocopy of her assignment and recall order were used for the tax free importation of a BMW vehicle in her name. Earlier, she entrusted