

[DA ADMINISTRATIVE ORDER NO. 07, May 29, 2009]

CODE OF CONDUCT FOR THE OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE

Pursuant to the Presidential Anti-Graft Commission (PAGC) Memorandum dated 28 January 2009 on Agency-Specific Code of Conduct.

Pursuant to DA Special Order 458 series of 2008 on the creation of a seven-member team to implement the PAGC project "Promoting the Formulation and Enforcement of the Code of Conduct of Government Agencies in the Philippines.

NOW THEREFORE, the Department of Agriculture hereby promulgates these:

CODE OF CONDUCT FOR THE OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE

Rule I Scope

The provisions of this Code shall have common applications to all officials and employees of the offices of the Department of Agriculture.

Rule II Definition of Terms

Terms as used in these guidelines shall have the following definition:

1. DA refers to the office/units of the Department of Agriculture.
2. DA officials and employees are all those employed in the DA central office, RFUs Bureaus, Attached Agencies, and Attached Corporations.

2.1 RFUs are the DA Regional Field Units, includes:

- a. CAR, Region I-XII, Caraga and ARMM

2.2 Bureaus include:

- a. Agricultural Training Institute (ATI)
- b. Bureau of Agriculture & Fisheries Product Standards (BAFPS)
- c. Bureau of Animal Industry (BAI)
- d. Bureau of Agricultural Research (BAR)
- e. Bureau of Agricultural Statistics (BAS)
- f. Bureau of Plant Industry (BPI)
- g. Bureau of Soils and Water Management (BSWM)

2.3 Attached Agencies:

- a. Agricultural Credit Policy Council (ACPC)
- b. Bureau of Fisheries Aquatic Resources (BFAR)
- c. Bureau of Post Harvest Research & Extension (BPHRE)
- d. Cotton Development Administration (CODA)
- e. Fertilizer Pesticide Authority (FPA)
- f. Fiber Industry Development Authority (FIDA)
- g. Livestock Development Council (LDC)
- h. National Agricultural & Fisheries Council (NAFC)
- i. National Meat Inspection Service (NMIS)
- j. Philippine Carabao Center (PCC)

2.4 Attached Corporations

- a. National Dairy Authority (NDA)
- b. National Food Authority (NFA)
- c. National Irrigation Administration (NIA)
- d. National Tobacco Administration (NTA)
- e. Philippine Coconut Authority (PCA)
- f. Philippine Crop Insurance Corporation (PCIC)
- g. Philippine Rice Research Institute (PhilRice)
- h. Quedan Rural Credit Guarantee Corp. (Quedancor)
- i. Philippine Fisheries Dev't Authority (PFDA)
- j. Sugar Regulatory Authority (SRA)

3. Central Office refers to the DA offices/units located at Elliptical Road Diliman, Quezon City.

4. Gift is the thing or a right given gratuitously, or an act of liberality in favor of another who accepts it, and shall include a simulated sale or at ostensibly onerous disposition thereof. It shall include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from any DA official or employee.

5. Family of public officials or employees means their spouses and children.

6. Relatives refer to any and all persons related to a DA officials or employee up to the fourth civil degree of consanguinity or affinity, including bilas, inso, balae.

7. Conflict of interest arises when a DA official or employee is a member of board, an officer, a substantial stockholder of a private corporation, an owner or one who has substantial interest in a business such that the interest of a such corporation or business, or his rights or duties therein may be opposed to or affected by the faithful performance of official duty. A conflict of interest may also exist when the objectivity of a DA official or employee in performing official duties is impaired or may reasonably appear to be impaired by the personal concerns of a DA official and employee which run counter to the objectives of the agency; or when the official

act results in unwarranted personal benefit on his/her part or of his/her relatives.

8. Post-employment is when a DA official or employee leaves the agency permanently and obtains employment in the private sector or another government agency.

9. Confidential information means information related to pending cases not yet made a matter of public record, as well as information not yet made public concerning the work of any personnel.

Notes, drafts, research papers, internal discussion, internal memoranda, records of internal deliberations and similar papers that DA officials and employees use in preparing decisions, resolutions or orders are covered by the definition of the term "confidential information".

Rule III Fidelity to Duty

SECTION 1. DA officials and employees shall, at all times, exhibit utmost respect to the public and deep sense of commitment to the mandate of the Office.

SECTION 2. DA officials and employees shall not discriminate against or dispense undue favors to anyone. Neither shall they allow kinship, rank, position, affiliation or favors to influence the performance of their official acts or duties. They shall endeavor to discourage wrong perception of their roles as dispensers or peddlers of undue patronage.

SECTION 3. DA officials and employees shall perform their duties efficiently, promptly, and without bias or prejudice.

SECTION 4. DA officials and employees shall avoid any impropriety and the appearance of any impropriety in all of their activities.

SECTION 5. DA officials and employees shall not engage in conduct incompatible with the faithful discharge of their official duties.

SECTION 6. DA officials and employees shall, at all times perform official duties properly and diligently. They shall fully commit themselves to the duties and responsibilities of their office during working hours.

SECTION 7. DA officials and employees shall not discriminate or manifest, by word or conduct, bias or prejudice based on race, religion, national or ethnic origin, gender, political belief or affiliation.

SECTION 8. DA officials and employees shall use the assets and resources of the office, including funds, properties, goods and services economically, productively, effectively, only for official activities, and solely for the purpose required by law.

SECTION 9. DA officials and employees shall carry out their duties and responsibilities as public servants with utmost and genuine courtesy, fairness, honesty and compliance with the law.

SECTION 10. DA officials and employees shall submit performance reports and other documents required by law such as Statement of Assets and Liabilities and Net worth, Income Tax Returns and other public documents as may be required by the Agency.

Rule IV Confidentiality

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

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. DA officials and employees leaving the Department for whatever reason, including resignation, termination of contract, or dismissal, shall bind themselves not to disclose confidential information acquired by them during their employment in the Department otherwise their clearances will not be issued.

Rule V Transparency

SECTION 1. DA officials and employees shall extend prompt, courteous, adequate and effective service to the public.

SECTION 2. DA officials and employees shall state their policies and procedures in clear and understandable language, ensure openness of information, public consultation whenever appropriate, encourage suggestions, simplify and systematize policy, rules and procedures.

SECTION 3. DA officials and employees shall, at all times, exercise transparency in all transactions, contracts relationships and all other matters involving public interest.

SECTION 4. DA officials and employees shall, at all times make accessible all public documents and transactions for inspection by the public within reasonable working hours provided:

- a. such information, record or document must be kept secret in the interest of national defense or security or the conduct of foreign affairs;
- b. such disclosure would put the life and safety of an individual in imminent danger;
- c. the information, record or document sought falls within the concepts of establishing privilege or recognized exceptions as may be provided by law or settled policy or jurisprudence^[*] (e.g. closed door Cabinet sessions, executive sessions of Congress, deliberations of the Supreme Court, trade secrets and the like);

- d. such information, record or document comprises drafts decisions, orders, policy decisions, memoranda, etc.
- e. it would disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- f. it would disclose investigatory records compiled for law enforcement purposes or information which if written would be contained in such records, but only to the extent that the production of such records or information would: (i) interfere with enforcement proceedings, (ii) deprive a person of a fair trial or impartial adjudication, (iii) disclose the identity of a confidential information furnished only by the confidential source or (iv) unjustifiably disclose investigative techniques and procedures.

Rule VI Conflict of Interest

DA officials and employees shall always uphold the public interest over personal interest. DA resources and powers must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues, thus:

SECTION 1. DA officials and employees shall avoid conflicts of interest in performing official duties. They are required to exercise utmost diligence in detecting conflicts of interests, in disclosing them to the designated authority and in terminating them as they arise.

a. A conflict of interest exists when:

- (i) The DA officials and employees objectivity or independence of judgment in performing official duties is impaired or may reasonably appear to be impaired; or
- (ii) The DA officials and employees, his or her immediate family, common-law relations or business or other financial interest, would derive pecuniary or material benefit because of his/her official act.

b. The term "immediate family" shall include the following: whether related by consanguinity or affinity, (i) spouse, (ii) children, (iii) brother, (iv) sister, (v) parent, (vi) grandparent, (vii) grandchildren, (viii) and all other relative within the fourth civil degree.

SECTION 2. DA officials and employees shall not:

- a. Receive cash, gifts, travel or other forms of material accommodation for assisting or attending to parties engaged in transactions or involved in actions or proceedings with the Department. Neither shall he/she accept such cash, gifts and other forms of remuneration given for the reason of his/her office or functions.