



ADMINISTRATIVE ORDER

No. 14
Series of 2024

SUBJECT: Amendment of Administrative Order (AO) No. 11, Series of 2019, or the “Guidelines on the Adoption and Implementation of Policies on Tobacco Control and Protection Against Tobacco Industry Interference in the DSWD”

In the interest of service and to ensure accurate, faithful, and effective implementation and adoption of the provisions of Civil Service Commission (CSC) - Department of Health (DOH) Joint Memorandum Circular (JMC) No. 2010-01 or the “*Protection of the Bureaucracy against Tobacco Industry Interference*”, provisions of Administrative Order No. 11, series of 2019 indicated below are hereby amended to conform with the provisions of JMC No. 2010-01 and shall read as follows:

“IV. COVERAGE

This guideline shall cover all personnel of the Department regardless of rank and status of employment or engagement with the Department. It shall apply to all public officials, employees, and workers¹ at the DSWD Central Office, Attached Agencies, Field/Regional Offices, Centers/Institutions, and satellite offices at the provincial, cluster/district, and city/municipal levels.

V. DEFINITION OF TERMS

10. Tobacco Industry Interference (TII) - refers to a broad array of tactics and strategies used by the tobacco industry to interfere with setting and implementing tobacco control measures (CSC-DOH JMC No. 2010-01).

VI. PROHIBITIONS

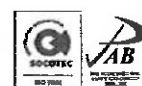
1. Absolute No Smoking

Public officials, employees, and workers of the Department shall strictly comply with the absolute prohibition of smoking within the premises, buildings, facilities, grounds, and government motor vehicles of the DSWD Central Office, Attached Agencies, Field Offices, Centers and Institutions, and satellite offices. “No Smoking” signs shall be conspicuously displayed within these places.

2. Unnecessary Interaction with Tobacco Industry

Public officials, employees, and workers of the Department shall interact with the tobacco industry only when strictly necessary for the latter’s effective regulation, supervision, or control. Transparency in all interactions with the tobacco industry shall be observed. Any necessary interaction with the tobacco industry should be carried out in such a way as to avoid the creation of any perception of a real or potential partnership or cooperation resulting from or on account of such interaction. In the event the tobacco industry engages in any conduct that may create such a perception, it is the duty of the public officials, employees, and workers of the Department to prevent or correct such perception.

¹ This refers to Job Order/Contract of Service workers



3. Preferential Treatment to the Tobacco Industry

Public officials, employees and workers of the Department shall, first and foremost, serve the public interest, and are prohibited from giving preferential treatment to the tobacco industry, including but not limited to providing incentives, privileges, benefits, or exemptions to the tobacco industry, except as otherwise provided by law.

4. Accepting Gifts, Donations and Sponsorship

Public officials, employees and workers of the Department shall not solicit or accept, directly or indirectly, any gift, gratuity favor, entertainment, loan, or anything of monetary value in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office, from any person or business related to the tobacco industry.

5. Financial Interest in the Tobacco Industry

Public officials, employees and workers of the Department shall not, directly or indirectly, have any financial or material interest in any transaction involving the tobacco industry requiring the approval of their office. In relation to this, public officials, employees, and workers of the Department shall declare any interest in the tobacco industry in their annual declaration of assets and liabilities.

6. Accepting Other Favors

Public officials, employees, and workers of the Department shall not accept any other favors analogous to those mentioned above. Moreover, neither a DSWD public official, employee, or worker nor any member of his/her family shall accept employment or recommend any one to any position in any private enterprise connected with the tobacco industry which has a regular or pending official transaction with the agency.

7. Conflict of Interest with the Tobacco Industry

Public officials, employees, and workers of the Department shall avoid conflicts of interest with the tobacco industry at all times. When a conflict of interest arises, he/she shall resign from his/her position in the tobacco industry within thirty (30) days from his/her assumption of office and/or divest himself/herself of his/her shareholdings or interest within sixty (60) days from assumption to duty in the DSWD.

8. Engaging in an Occupation Activity within the Tobacco Industry

A public official, employee, or worker of the Department who has a role in setting and implementing public health policies with respect to tobacco control, shall inform the Department about any intention to engage in an occupational activity within the tobacco industry, whether gainful or not, within a specified period of time after leaving the service; and to require applicants for such public office positions to declare any current or previous occupational activity within any tobacco industry whether gainful or not.

VII. GENERAL GUIDELINES

3. Sponsorships and Receipt of Donations

3.1 Public officials, employees, and workers of the Department shall not solicit or accept any donation, gifts, loan, gratuity favor, or anything of monetary value, whether in cash or in kind, for themselves, their families, relatives, friends, or any other persons or organizations, from any person or business related to the tobacco industry.²

X. REPORTING OF VIOLATIONS

1. Public officials, employees and workers of the Department are required to report any form of activity that is in violation of this Guidelines, particularly the provisions under Item VI and VII. A report or complaint of any violation shall be submitted in writing to the Human Resource Management and Development Service/Division and shall be acted upon by the TWG.
2. Personnel shall give information about any type of agreement with the tobacco industry or any information that would facilitate the enforcement of policy against tobacco industry interference. Information shall include reports on any interaction with the tobacco industry and any offer of donation to the public official or employee by the tobacco industry. To encourage transparency and accountability, this information shall be accessible to the public.

XI. PENALTIES AND SANCTIONS

Any violation of this Guidelines shall be considered as a ground for administrative disciplinary action pursuant to the existing Rules on Administrative Cases in the Civil Service, or a ground for pre-termination of the Memorandum of Agreement, with respect to COS/JO workers, without prejudice to the filing of criminal or civil actions under existing laws, rules and regulations."

All other provisions of AO No. 11, series of 2019 shall remain in full force and effect and herein Guidelines supersede all previous issuances inconsistent herewith.

This amendment shall take effect immediately.

Issued this ___ day of _____ 2024 at DSWD Central Office, Batasan Hills, Quezon City, Philippines.


REX GATCHALIAN,
Secretary

Date: 12 JUL 2024

Certified True Copy


WILLIAM V. GARCIA, JR.
OIC-Division Chief

Records and Archives Mgt. Division

16 JUL 2024

² Item (iv), Annex A of CSC-DOH JMC 2010-01