



MEMORANDUM *111-21*

TO : ALL OFFICIALS AND EMPLOYEES

SUBJECT : Guidelines in the Review and Compliance Procedures in Filing and Submission of Statements of Assets and Liabilities and Net Worth (SALN) and Disclosure of Business Interest and Financial Connections

Date : 01 September 2021

A. PURPOSE

Section 8 of the Republic Act 6713 requires public officials and employees to accomplish and submit declarations under oath, and the public has the right to know, their assets, liabilities, net worth and financial and business interests including those of their spouses and of unmarried children under eighteen (18) years of age living in their households.

CSC Memorandum Circular No. 6, s. 2021, pursuant to CSC Resolution No. 2100339, dated 12 April 2021, prescribes the guidelines for the filing and submission of the SALN during exceptional circumstances.

B. COVERAGE

All plantilla-based personnel including casual and contractual.

C. GUIDELINES

Exceptional circumstances, shall apply, when on or around the date of the filing of the SALN, the whole or part of the Philippines is placed or declared under an emergency status or under state of calamity by executive or local or national legislative issuance causing limited movement of its citizens due to danger to public health and public safety or preventing the normal way of life of the citizens.

1. Filing and Submission of SALN

All plantilla-based personnel including casual and contractual shall file under oath their SALN and Disclosure of Business Interest and Financial Connections to the Human Resource Management and Development Division (HRMDD), to wit:

- a. within thirty (30) days after assumption of office, statement of which must be reckoned as of his/her first day of office;
- b. on or before April 30 of every year, statements of which must be reckoned as of the end of the preceding year. However, at any time that the whole or part of the Philippines is placed under exceptional circumstances as defined above, those in affected area/s are given additional period of thirty (30) days from April 30 of such year within which to comply with the filing of the SALN; and,
- c. within thirty (30) days after the separation from the service, statements of which must be reckoned of as his/her last day of office.

Public officials and employees are strictly required to fill in all applicable information and/or make a true detailed statements in their SALNs.

2. Online Oath-Taking of the SALN

For exceptional circumstances, in addition to the personal administration and taking of oath, the online oath-taking of the SALN shall be allowed subject the following steps:

- a. The Administering Officer or the Declarant initiates an electronic meeting with the Declarant or the Administering Officer, as the case may be, via Communication Technology (e.g. WebEx, Zoom or Skype). A "Communication Technology" is defined as an electronic device or process that allows the Administering Officer and a remotely located individual, the Declarant, to communicate simultaneously by sight and sound.¹
- b. The Administering Officer reviews the Declarant's evidence of identity via video, if not personally known to the Administering Officer.
- c. The Declarant executes the SALN and affirms the same as his/her free act and deed, and that the contents thereof are true and correct. The Declarant shall execute the SALN by affixing his/her electronic/digital signature to the electronic SALN, or wet ink signature to the physical SALN, provided the execution or placing of signature is done within sight of the Administering Officer. The Original shall refer to the electronic SALN or physical SALN, as the case may be.
- d. On the same day, the Declarant transmits a copy of the Original to the Administering Officer through electronic means. A copy of a physical SALN refers to its scanned copy.
- e. The Administering Officer may use electronic signature or wet ink signature in acknowledging the SALN.

¹ Executive Order No. 7Q, State of Connecticut, United States of America, Accessed 8 June 2020, <<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-ExecutiveOrders/Executive-Order-No-7Qpdf>

In case of electronic signature, the Administering Officer completes/signs the acknowledgment by affixing his/her electronic/digital signature in the copy of the Original sent by the Declarant.

In case of wet ink signature, the Administering Officer prints the copy of the Original sent by the Declarant, completes/signs the acknowledgment by affixing his/her wet ink signature, and then scan the same.

Upon completion/signing, the Administering Officer transmits the SALN back to the Declarant.

- f. The Declarant then sends/delivers the Copy to the Human Resource Manpower Development Division (HRMDD) of the concerned office or agency to comprise filing of the SALN, subject to the guidelines on online filing or transmission in paragraph 2 hereof.
- g. The Administering Officer or the Declarant may record the video communication at their own discretion. The Administering Officer is required to record and submit a list of online oath taking he/she administered together with a certification that the names appearing on the list took their oath before him/her through electronic meeting. The list shall be submitted to the HRMDD within five (5) days from the last day of filing of the SALN for recording purposes.

3. Online Filing or Submission of the SALN

The online filing or transmission of a duly executed SALN shall be allowed, subject the following guidelines:

- a. The department, office or agency concerned shall put in place processes and mechanisms to enable or allow online oath taking of the SALN and the electronic filing of the SALN, and to ensure that the SALN electronically filed are verifiable and authentic, and that it shall be protected under the provisions of relevant laws such as the Data Privacy Act of 2012.
- b. The Declarant, whether under alternative working arrangement or physically reporting for work, may submit, through electronic means, a duly executed SALN to the concerned department, office or agency.
- c. A "duly executed SALN" refers to a SALN that is personally signed under oath before an administering officer or notary public, or that executed through online oath taking as recognized under paragraph 1 hereof.

- d. The Declarant, when filing the SALN through online transmission, shall ensure that the SALN is in Portable Document Format (PDF).
- e. An electronic SALN shall refer to a duly executed SALN filed by the Declarant to the concerned department, office or agency via online transmission.
- f. An electronic SALN, for purposes of SALN compliance for the year affected by any exceptional circumstances, shall be considered the original, and a printout thereof shall be considered a duplicate original.
- g. Declarant's online filing or submission of his/her SALN in compliance with these Rules shall be considered as the Declarant's date of filing of his/her SALN with his/her Agency.

4. Substantial Compliance

The submission of electronic SALNs shall be deemed substantial compliance during the affected period.

5. Review and Compliance Committee

The OWWA SALN Review and Compliance Committee (SALN-RCC) shall be composed of the following:

Chairperson	:	Deputy Administrator, Administrative & Fund Management
Vice-Chairperson	:	Director, Administrative and Financial Management Office
Members	:	Director, General Administrative Service Chief, Office of Legal Staff Chief, Internal Audit Division Chief, Human Resource Management and Development Division
Secretariat	:	Human Resource Management and Development Division Staff

The SALN-RCC shall prepare a list of employees, in alphabetical order, for submission to the head of agency, copy furnished the Civil Service Commission on or before May 15 of every year:

- a. Those who filed their SALNs with complete data;
- b. Those who filed their SALNs but with incomplete data; and,
- c. Those who did not file their SALNs.

A corresponding Special Order shall be issued on the RCC Composition and Functions.

6. Ministerial Duty of the Administrator to issue Compliance Order

Immediately upon receipt of the list and recommendations from the SALN-RCC, it shall be the ministerial duty of the Administrator to issue an order requiring those who have incomplete data on their SALN to correct/supply the desired information, and those who did not file/submit their SALNs to comply within a non-extendible period of three (3) days from receipt of said order.

Assets and/or properties acquired, donated or transferred in the name of the filer for a particular year, but were not declared on his/her SALN for that year, as the same came to his/her knowledge only after he/she filed, corrected and/or submitted his/her SALN, must be declared or reflected in the filer's next or succeeding SALN.

7. Sanction for Failure to Comply/Issuance of Show-Cause Order

Failure of an official or employee to correct/submit his/her SALN in accordance with the procedure and within the given period pursuant to the directive to item 3 hereof shall be a ground for disciplinary action. The Administrator shall issue a show-cause order directing the official or employee concerned to submit his/her comment or counter affidavit; and if the evidence so warrants, proceed with the conduct of the administrative proceedings pursuant to the 2017 Rules on Administrative Cases in the Civil Service. The offense of failure to file SALN is punishable under Rule 10, Section 50 (D) (8) thereof, with the following penalties:

- 1st offense - Suspension for one (1) month and one (1) day to six (6) months
- 2nd offense - Dismissal from the service

Further, officials and employees who failed to submit their SALN shall not be entitled to Performance Based Bonus.

8. Submission/Transmittal of all submitted SALN to the repository agencies

The HRMDD shall transmit all original copies of SALN received to the Civil Service Commission/Office of the Regional Ombudsman on or before June 30 of every year. However, during exceptional circumstances, all departments, agencies and offices or those in affected area/s are also given additional period of thirty (30) days from June 30 of such year within which to comply with the submission of the SALNs to the Civil Service Commission/Office of the Regional Ombudsman.

Submission/Transmittal of all submitted SALN to repository agencies shall be subject to the following guidelines:

- a) Upon collation of the SALNs, the concerned department, office or agency has the option to submit/transmit the collated SALNs with the proper repository either

physically or electronically. The concerned department office or agency shall exercise only one option in submitting the SALNs, not a combination of both, in order to facilitate centralized recording and monitoring by repository agencies.

- b) In the case of **physical submission**, the same shall comply with the existing guidelines on the filing and submission of the SALN. SALNs for physical submission includes physical SALNs filed and printed copies of SALNs electronically transmitted.
- c) In the case of **electronic submission**, the department, office or agency concerned is allowed to submit or transmit the electronic SALNs to the proper repository agency either with the use of USB flash drive or disc storage together with the required summary as provided under the rules. SALNs under this filing include SALNs electronically transmitted as recognized under paragraph 2 hereof, and scanned copies of physical SALN's filed.
- d) In both instances, the department, office or agency is required to submit a list of SALN's electronically filed and physically filed.
- e) The proper repository agencies may establish their own rules in allowing the receipt of electronic copies of the SALNs provided they comply with the uniformity rule, that is, SALNs may be filed either through electronic files or physical files, but not a combination of both.

For agencies where the CSC is the proper repository agency, the submission of SALNs may be made by transmitting the physical SALNs for physical filing or the USB flash drive or CD for electronic SALNs with the CSC Field Office (CSC FO) or CSC Regional Office (CSC RO) having jurisdiction over them. Upon receipt, the CSC FO or CSC RO will then inform the IRMO, through its Director IV, of such receipt with notice on the possible date that the physical SALNs or USB flash drive or CD will be transmitted to the CSC Central Office (CSC CO).

For compliance.


HANS LEO J. CACDAC
Administrator