



Republic of the Philippines
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY
No. 12 St. Josemaria Escriva Drive, Ortigas Center, Pasig City

OFFICE CIRCULAR NO. 01 -2009
19 May 2009

TO : All NEDA Officials and Employees and All Others Concerned

SUBJECT : **ADOPTING THE CODE OF CONDUCT FOR THE OFFICIALS AND EMPLOYEES OF THE NEDA**

1. This Circular is being issued to adopt the customized Code of Conduct for the Officials and Employees of the NEDA.
2. The adoption and enforcement of the Code is consistent with the education section of the Integrity Development Action Plan (IDAP), a national anti-corruption framework of the executive department with NEDA as one of the implementing agencies.
3. The Code is likewise intended to complement with the NEDA's mission in its adherence to the highest tenets of public ethics.
4. This Office Circular shall take effect immediately and shall be distributed to the respective offices of the NEDA. It is hereby directed that copies of this Code be posted in the respective website and conspicuous places of the NEDA Central Office and Regional Offices.
5. For strict compliance.


RALPH G. RECTO
Director-General

CODE OF CONDUCT FOR THE OFFICIALS AND EMPLOYEES OF THE NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA)

WHEREAS, the Constitution declares that a 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, integrity, loyalty and efficiency, act with patriotism and justice, and lead modest lives.

WHEREAS, NEDA officials and employees have a great deal of discretionary power, being responsible for decisions which can markedly affect an individual or institution. Accordingly, NEDA officials and employees must adhere to standards of conduct of the highest order to uphold public interest.

WHEREAS, while R. A. No. 6713 and its implementing rules and other existing laws provide for the ethical conduct of all public officials and employees, it is necessary to adopt a customized code of conduct for NEDA officials and employees complementary to its integrity development and adherence to the highest tenets of public ethics.

NOW, THEREFORE, the National Economic and Development Authority hereby promulgates the following Rules:

Rule I

Coverage

The provisions of this Code shall apply to all officials and employees of the NEDA, including casual, temporary, contractual employees and consultants.

Rule II

Definition of Terms

For the purpose of this Code, the following terms shall be construed to mean as follows:

- a. "Code" shall refer to this Code of Conduct.
- b. "Conflict of Interest" arises when a NEDA official or employee has competing professional or personal obligation or financial interest, or he/she has some influence in any transaction involving him/her that is inconsistent with his/her loyalty to public service. It may also exist when a NEDA personnel is influenced or appears to be influenced by his/her personal interests, or when an official act results in unwarranted personal benefit or to that of his/her family and relatives. Personal interests include not only a NEDA personnel's financial or other private interests but the financial or other interests of his/her family or relatives.

- c. “Gift” refers to a thing or a right to dispose of gratuitously, or any act or liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.
- d. “Family of NEDA personnel” means their spouse and their children.
- e. “NEDA assets and resources” includes tangible resources such as funds, vehicle, property, plant and equipment, and information communications technology resources acquired through any mode, and intangible resources, i.e., time at work.
- f. “NEDA personnel” means NEDA officials and employees including casual, temporary, contractual employees and consultants.
- g. “Official purpose” is one related to authorized activities or the performance of official duties.
- h. “Relatives” refer to any and all persons related to NEDA personnel within the fourth civil degree of consanguinity or affinity.

Rule III

General Principles of Conduct

Section 1. NEDA is an effective socioeconomic planning and policy-coordinating agency responsible for national development. Accordingly, NEDA personnel need to be effective agents of development.

Section 2. NEDA personnel shall adhere to the following norms of conduct of public officials and employees:

- a. Commitment to public interest
- b. Professionalism
- c. Justness and sincerity
- d. Political Neutrality
- e. Responsiveness to the Public
- f. Nationalism and Patriotism
- g. Commitment to Rule of Law
- h. Simple Living

Section 3. NEDA personnel shall maintain excellence and competence in performing duties and responsibilities from the simplest to the most complex tasks. They shall strive to produce results that are responsive to the requirements of the public service

Section 4. NEDA personnel shall promote teamwork and camaraderie. They shall treat each other with respect, courtesy and without malice, notwithstanding disagreements on issues and policies. They shall at all times deal with their fellow personnel in a manner that respects their ability, experience and dignity.

Section 5. NEDA personnel shall at all times be accountable to the public for their decisions and actions.

Section 6. NEDA personnel shall be transparent in all their official transactions. They shall, however, only withhold information where prescribed by law, such as but not limited to, those inimical to the public interest, and those covered by executive privilege.

Section 7. While NEDA recognizes freedom of speech and expression as inalienable human rights, NEDA personnel shall ensure that their decisions, directions and conduct in office do not encourage or induce others to defy the law, public order, morals, good customs, established policies, lawful orders, decrees and edicts.

Section 8. NEDA personnel shall have the duty to act in what they believe to be the best interest of the public, consistent with principles and beliefs for what is right, and adhere to the highest tenets of public ethics.

They shall at all times exhibit loyalty and utmost respect to the public, and commitment to the mission of the NEDA.

They shall not deliberately place themselves under any financial or other obligation to outside individuals or organizations that might adversely influence them in the performance of their official duties.

Section 9. NEDA personnel shall lead simple and modest lives appropriate to their positions and income.

Section 10. NEDA personnel shall carry out public business, including development planning activities, policy formulation, project evaluations and monitoring, investment programming, procurement transactions, awarding of contracts, appointments for positions, or recommending individuals for rewards and benefits based on the highest tenets of professional practice. They shall not use their positions or influence to secure unwarranted benefits, privileges or exemptions for themselves or for others.

Section 11. NEDA personnel shall act in the best interest of the public and the NEDA in their dealings with other stakeholders by:

- a. Being conscientiously honest, efficient, and diligent; and
- b. Not taking any course of action that would bring the NEDA into disrepute.

Rule IV

Conflict of Interest

Section 1. NEDA personnel shall avoid conflict of interest at all times.

Section 2. NEDA personnel may consult their immediate superior or appropriate official for advice in determining the possibility or existence of conflict of interest.

Any information disclosed shall be held in confidence except when the best interest of the public or the NEDA demands otherwise.

Section 3. NEDA personnel who have conflict of interest, or a possibility thereof, in any transaction shall take immediate steps to resolve such conflict.

They shall promptly make full disclosure of such conflict in writing or verbally to their immediate superior or appropriate official. In this connection, the latter shall have the duty to act upon immediately to address the situation at issue.

NEDA personnel subject of conflict of interest shall inhibit themselves from participating in any activity related to such transaction. Nonetheless, they may be allowed to provide inputs, if necessary, germane to the transaction provided that, they shall not participate in the decision making for such transaction.

Section 4. NEDA personnel shall not engage in employment outside public or private employment nor shall they accept retainers or other income from personal exertion, such as consultancy or practice of profession, unless authorized by law.

Rule V

Confidentiality of Information

Section 1. Any classified document and/or information which NEDA personnel may obtain in the course of their duties shall only be used in connection with those duties, and that such information shall not be used for personal interest or that of others.

Section 2. NEDA personnel shall not release or order the release of classified information and/or document unless properly authorized.

Section 3. NEDA personnel shall diligently abide by the legal prescription in the handling of public and classified documents or information.

Section 4. Upon separation from the NEDA, NEDA personnel shall convey all classified official documents or information in their possession to their appropriate official. They shall not disclose such classified documents or information without authorization.

Rule VI

Solicitation or Acceptance of Gifts, Benefits, and/or Donations

Section 1. NEDA personnel shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything in the course of their official duties or in connection with any transaction which may unduly influence the functions of their office or which may affect their judgment in the performance of their duties and responsibilities. This shall also apply to the family and/or relatives of NEDA personnel.

Section 2. NEDA personnel or a member of his / her family shall not be prevented from accepting gift of nominal or insignificant value in the nature of souvenir, token of appreciation, symbolic item, or moderate and occasional acts of hospitality or goodwill; provided, in accepting such gift, hospitality or goodwill, the public interest and the integrity of the NEDA will not be or appear to be compromised in any way.

NEDA personnel shall consider the following factors on the acceptance of gift:

- a. perception of outside party to the acceptance of gift or benefit;
- b. the reason for the gift or benefit being offered;
- c. value of the gift or benefit;
- d. the frequency of the gift – even a small gift or benefit given repeatedly may be of special concern; and,
- e. presence or absence of pending, existing, or forthcoming transaction with the NEDA.

In the event of any doubt regarding the receipt of a gift, concerned NEDA personnel may seek guidance from their immediate superior or appropriate official.

Section 3. The NEDA may accept donations coming from funding institutions, other government entities, and private organizations whether local or foreign, which are considered and accepted as humanitarian or in the furtherance of its mandate. The NEDA shall abide by the existing government accounting and auditing rules and regulations relative to receipt of donations.

Section 4. NEDA personnel shall not allow their actions and decisions to be influenced by the prospect of future employment with others who deal with the NEDA.

Section 5. NEDA personnel shall not exercise the influence obtained from their public office, or use official information, to gain any improper benefit for themselves or others.

Rule VII

Use of NEDA Assets and Resources

Section 1. NEDA personnel shall use NEDA assets, resources, and facilities for official purposes only.

Section 2. NEDA personnel shall be conscientious in their use of these assets and resources, and shall use reasonable efforts to prevent misuse by other persons.

Section 3. NEDA personnel shall keep appropriate records of and ensure that they regularly account for assets, equipments, and other resources entrusted to them.

Section 4. NEDA personnel concerned shall ensure that they implement an efficient assets and resources management system, including inventory, allocation and property disposal guidelines.

Rule VIII

Compliance and Reporting Violations

Section 1. NEDA personnel shall uphold the observance of all laws, rules and regulations in accordance with their oath of office and to act at all times befitting of a public servant.

Section 2. NEDA officials shall demonstrate their awareness of the Code standards by modeling them in their own behavior.

They shall have the responsibility to ensure that their subordinates have received a copy of, read, and understood this Code.

Section 3. A complaint against any NEDA personnel under this Code shall be handled in accordance with the Uniform Rules on Administrative Cases in the Civil Service, without prejudice to other appropriate legal or authorized action, if warranted.

Section 4. Any NEDA personnel who has personal knowledge of an infringement of this Code or any applicable laws shall raise this issue with his/her concerned superior or official for appropriate action. Such infringement may likewise be reported anonymously to the Resident Ombudsman or to an appropriate superior or official.

Rule IX

Enforcement

Section 1. The NEDA shall take a swift and decisive action on any verifiable information in violation of any provisions hereof or any applicable laws.

Section 2. Any NEDA personnel being harassed or coerced in relation to any investigation or case concerning any provisions hereof or any applicable laws shall resort initially to the grievance mechanism.

Rule X

Suppletory Rules

All provisions of law, rules and regulations governing or regulating the conduct of public officials and employees shall likewise apply to these rules.

Rule XI

Amendment

The NEDA may amend or modify these Rules as may be necessary.

Rule XII

Effectivity

This Code shall take effect following its dissemination through an Office Circular.

Done this _____ day of May 2009, in the City of Pasig.

CONFIRMATION

The undersigned personnel of _____ (name of office/staff/region) hereby confirm that they have read and understood the foregoing Code of Conduct, undertake to abide by it at all times, and keep themselves updated on its possible changes.

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