



**DEPARTMENT OF EDUCATION**

Region X-Northern Mindanao

**DIVISION OF MALAYBALAY CITY**

Sayre Highway, Purok 6, Casisang, Malaybalay City

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**DIVISION MEMORANDUM**

**NO. 666, s. 2017**

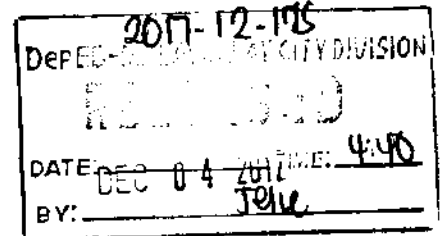
**TO : Education Program Supervisors, CID & SGOD  
Public Schools District Supervisors  
Public Elementary & Secondary School Heads  
All Others Concerned**

This Division

**FROM : EDILBERTO L. OPLENARIA, CESO VI**  
OIC, Schools Division Superintendent

**DATE : December 4, 2017**

**RE : COMPLIANCE OF CIVIL SERVICE MEMORANDUM  
CIRCULAR NO. 29, S. 2016 ON THE PROHIBITION ON  
SOLICITATION OR ACCEPTANCE OF GIFTS**



1. For information and guidance of all concerned, since the Christmas season is fast approaching, the field is reminded of the prohibition on solicitation or acceptance of gifts from those who transact business with this Office as per Civil Service Commission Memorandum Circular No. 29, s. 2016.
2. Further, violation of this prohibition is considered a grave offense under the 2017 Rules on Administrative Cases in the Civil Service, punishable by dismissal.
3. Immediate dissemination and strict compliance of this Memorandum is hereby directed.

Enclosed: CSC Memo Circular No. 29, s. 2016

Cc: Records/Legal



Regional Office X

2017-11-1304  
Deped-MALAYBALAY CITY DIVISION  
**RECEIVED**  
Date: NOV 29 2017 Time: 1:46  
By: Jenil

November 16, 2017

**Dr. EDILBERTO L. OPLENARIA**  
OIC - Schools Division Superintendent  
Department of Education - Division of Malababay City  
Sayre Highway, Casisang, Malaybalay City

Dear Superintendent Oplenaria:

As we approach the Christmas season, we remind all heads of government agencies/offices (Constitutional Bodies, Departments, Bureaus and Agencies of the National Government, Local Government Units, Government-Owned and/or Controlled Corporations with Original Charters and State Universities and Colleges) regarding the prohibition on solicitation or acceptance of gifts as provided in Civil Service Commission Memorandum Circular No. 29, s. 2016 (Prohibition on Solicitation or Acceptance of Gifts), 22 December 2016, issued by Chairperson Alicia dela Rosa-Bala viz.:

"X x x

**SUBJECT: Prohibition on Solicitation or Acceptance of Gifts**

*In view of the holiday season, all government officials and employees are reminded to observe the policy against solicitation or acceptance of gifts from those who transact business with government agencies, pursuant to Republic Act No. 6173 (Code of Conduct and Ethical Standards for Public Officials and Employees) and CSC-DOH Joint Memorandum Circular No. 2010-01 (Protection of the Bureaucracy Against Tobacco Industry Interference).*

**In this regard, all government officials and employees are advised to avoid soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value, or sponsorship for programs or activities from any person 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 as well as from the tobacco industry.**

*For strict compliance.*

X x x"

*(emphasis and underlining supplied)*

Bawat Kawani, Lingkod Bayani

Solicitation or acceptance of gifts is a prohibited act in accordance with Section 7 (d), Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) which states:

***"Section 7. Prohibited Acts and Transactions. - In addition to acts and omissions of public officials and employees now prescribed in the Constitution and existing laws, the following shall constitute prohibited acts and transactions of any public official and employee and are hereby declared to be unlawful:***

X x x

**(d) Solicitation or acceptance of gifts. - Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person 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.**

X x x"

(emphasis and underlining supplied)

Moreover, Section 50 of the 2017 Rules on Administrative Cases in the Civil Service (RACCS) proscribes solicitation or acceptance directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value in the course of one's official duties or in connection with any operation being regulated by, or in any transaction which may be affected by the functions of one's office. The said act is classified as a grave offense and is punishable by dismissal from the service.

Regarding the conduct of solicitation drive by any government agency to undertake activities for charitable or public welfare, a solicitation permit must be secured with the Department of Social Welfare and Development (DSWD) except for those organizations covered by a charter or special law that specifically provides them an authority to solicit and/or conduct fund drives. If the solicitation activity will be undertaken only in one city/municipality, the city or municipal local executive is authorized to issue the permit (Item 3.1, VI, Department of Social Welfare and Development Administrative Order No. 14, s. 2007 [Revised Omnibus Rules and Regulations on Public Solicitations]).

Be guided.

Very truly yours,

  
**ADAMS D. TORRES, CESO IV**  
Director IV

Enclosed: CSC MC No. 29, s. 2016 (Prohibition on Solicitation or Acceptance of Gifts)



MC No. 29, s. 2016

### MEMORANDUM CIRCULAR

**TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS; AND STATE UNIVERSITIES AND COLLEGES**

**SUBJECT : Prohibition on Solicitation or Acceptance of Gifts**

In view of the holiday season, all government officials and employees are reminded to observe the policy against solicitation or acceptance of gifts from those who transact business with government agencies, pursuant to Republic Act No. 6713 (*Code of Conduct and Ethical Standards for Public Officials and Employees*) and CSC-DOH Joint Memorandum Circular No. 2010-01 (*Protection of the Bureaucracy Against Tobacco Industry Interference*).

In this regard, all government officials and employees are advised to avoid soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value, or sponsorship for programs or activities from any person 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 as well as from the tobacco industry.

For strict compliance.

  
**ALICIA dela ROSA-BALA**  
Chairperson

2016-01-29

*In a to Serve: espina, possible, ourtenus and ffective Public Service*