



Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
Ombudsman Building, Agham Road,  
Diliman, Quezon City

**MEMORANDUM CIRCULAR NO. 1**  
Series of 2020

**AMENDED GUIDELINES ON PUBLIC ACCESS TO STATEMENTS OF ASSETS,  
LIABILITIES AND NET WORTH AND DISCLOSURE OF BUSINESS INTERESTS  
AND FINANCIAL CONNECTIONS FILED WITH THE OFFICE OF THE  
OMBUDSMAN**

Pursuant to the provisions of the Implementing Rules and Regulations of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees," the following guidelines are hereby issued to be strictly observed by the Office of the Ombudsman as to public access of Statements of Assets, Liabilities And Net Worth and Disclosure of Business Interests and Financial Connections (SALNs) on file with this Office:

**SEC. 1. Grounds to grant or deny request.** A copy of the SALN will be furnished to the requester if:

- a. he/she is the declarant or the duly authorized representative of the declarant;
- b. the request is upon lawful order of the court in relation to a pending case; and
- c. the request is made by this Office's Field Investigation Office/Bureau/Unit (FIO/FIB/FIU) for the purpose of conducting fact-finding investigation.

In all other instances, no SALN will be furnished to the requester unless he/she presents a notarized letter of authority from the declarant allowing the release of the requested SALN.

- A. A request will be evaluated and submitted for the action of the Ombudsman provided that the following requirements concur:
  - i. the Office is the official repository of the requested SALN;
  - ii. the requested SALN is on file with or in actual possession by the Office; and
  - iii. the requester completely fills-in the form, complies with the submission of the requirements and pays the fees, if applicable as herein provided.
- B. All requests to inspect or to take picture of the SALN will be denied.

**Sec. 2. Period of accessibility.** The request can be filed after ten (10) working days from the time the SALN was filed as required by law and for a period of ten (10) years from receipt of the SALN by the Office of the Ombudsman and its area offices. The SALNs shall be destroyed ten (10) years after receipt thereof unless needed in an on-going investigation.

All requests will be acted upon within a reasonable period unless:

- i. the documentary requirements are lacking and/or the information necessary to process the request is inadequate;
- ii. the office lacks resources caused by circumstances beyond its control;
- iii. there are legal constraints such as restraining orders and injunctions issued by proper judicial authorities; and
- iv. in fortuitous events or force majeure.

**Sec. 3. Where to file request.** The request shall be filed with the Office of the Ombudsman Central Records Division (CRD) for declarants required to submit their SALNs before the Ombudsman Central Office, or the concerned Case Records Evaluation, Monitoring and Enforcement Bureau (CREMEB) of the Office of the Deputy Ombudsman for Luzon (OMB-Luzon), the Office of the Deputy Ombudsman for Visayas (OMB-VIS), or the Office of the Deputy Ombudsman for Mindanao (OMB-MIN) for those required to submit their SALNs in these area offices.

**SEC. 4. Procedure.** Except where a subpoena was issued by a court in a pending case, all requests for SALNs shall be made by accomplishing and signing the prescribed SALN Request Form (form) in duplicate copies. The form shall be subscribed and sworn to before an authorized officer of this Office.

- i. If the requester is the declarant, he/she shall present two valid original Identification Cards (IDs), one of which is a government-issued ID, bearing the requester's picture and signature.
- ii. If the requester is filing the request on behalf of the declarant, the former shall be required to present the original of the following for verification purposes: two valid IDs, one of which is a government-issued ID bearing the requester's picture and signature; the notarized Special Power of Attorney (SPA) authorizing the requester to apply for a copy of the declarant's SALN; and two (2) IDs of the declarant with picture and signature.
- iii. If the request is filed by the FIO/FIB/FIU of this Office for the purpose of conducting a fact-finding, the requester shall present his Ombudsman ID.
- iv. If the person requesting is not the declarant or the declarant's duly authorized representative, but has notarized letter of authority from the declarant allowing the release of the requested SALN, he/she shall be required to present two original valid ID's, one of which is a government issued ID bearing the requester's picture and signature.
- v. When applicable, IDs with expired validity dates will not be honored.

- A. A request form shall pertain to only one declarant. If the requester indicates two or more names in a form, the processing officer shall return the form to the requester and advise him/her that there can only be one subject declarant in a form.
- B. All SALN requests shall be evaluated by a processing officer of the CRD or CREMEB, as the case may be, and reviewed by the division/unit chief/head. All requests for SALNs shall be subject to the approval of the Ombudsman.
- C. The fees for the copies of the SALNs shall be paid only after the request has been approved by the Ombudsman. The courts and the FIO/FIB/FIU shall not be required to pay the fees for the copies of the SALNs.
- D. If the requester cannot personally receive the request, he/she shall indicate in the form the name of his/her authorized representative who will receive the request. The authorized representative shall be required to present when he/she claims the request his/her two (2) original valid IDs, one of which is a government-issued ID.
- E. A request for a certification whether a SALN was filed by a public official or employee before the Office of the Ombudsman shall be treated as a request for a copy of the SALN and the above procedure and requirements shall be observed in processing the request.

**SEC. 5. Public Record.** To protect the right to privacy of the declarant whose SALN was the subject of a request, all SALN request forms shall be treated as part of the public record. The form shall be made readily available to the declarant upon his/her request in writing to the Ombudsman. The form shall be kept by the custodian of the SALN.

**SEC. 6. Lifestyle Check even without a SALN.** Where the request for the SALN is denied and the requester insists that there is a strong reason to believe that the assets and properties of a declarant are unreasonably disproportionate to his/ her income, the chief/head of the CRD or CREMEB shall advise the requester to submit instead a verified complaint, together with the documentary evidence he/she may have gathered against the declarant, for appropriate action of an Ombudsman lawyer-evaluator.

**SEC. 7. Requests of SALNs by Government Agencies.** All requests by government agencies for the SALNs of their officials and employees for any purpose shall be denied unless the request form is supported by the declarant's notarized letter of authority. Except for the payment of the fees, the agency will be required to observe the above procedure in requesting the SALN.

**Sec. 8. Miscellaneous Provision.** These guidelines do not cover requests for copies of the curriculum vitae, Personal Data Sheet or other profile documents of a public official/employee, which requests shall be referred to the concerned office as may be provided by law.

**SEC. 9. Transitory Provision.** Notwithstanding that this Memorandum Circular shall apply to all SALN requests filed upon effectivity hereof, all pending SALN requests shall be acted upon pursuant to this Circular.

**SEC. 10. Repealing Clause.** All previous issuances inconsistent herewith are repealed or modified accordingly.

**SEC. 11. Effectivity Clause.** This Memorandum Circular shall take effect fifteen (15) days following the completion of its publication in a newspaper of general circulation and upon filing of three (3) certified copies thereof with the University of the Philippines Law Center.

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