

ADMINISTRATIVE ORDER No. 10 (As Amended)
Series of 2001

Guidelines on the Installation of
Resident Ombudsman (NON-ORGANIC)

In the interest of the service, and in accordance with the authority vested in me by law and the constitution, all heads of departments, offices and agencies of the government, including government-owned or controlled corporations, are hereby urged and requested to cause the installation of a Resident Ombudsman in their respective offices in accordance with the following rules and guidelines.

Concept. - A Resident Ombudsman may be appointed for a department, bureau, office, commission, government-owned or controlled corporation or any unit of the national government, as well as provincial, city or municipal governments.

1. By whom appointed. - the Resident Ombudsman shall be appointed
 - a. By the Ombudsman or the Overall Deputy Ombudsman for offices, agencies or entities in the National Capital Region;
 - b. By the Deputy Ombudsmen for offices, agencies or entities in their respective areas.

3. Procedure for appointment. - The appointment shall be made from a list of at least three (3) nominees submitted by the head of the office, agency or entity concerned, who belong to the following categories:
 - a. First nominee representing the rank and file employees’;
 - b. Second nominee representing the officials in the supervisory level;
 - c. Third nominee representing all officials and employees of the concerned agency recommended by an accredited Corruption Prevention Unit (CPU) or any recognized Non-Government Organizations (NGOs) or religious organization in the locality.

However, the Ombudsman or his Deputies, on his own initiative, may appoint or designate any official or employee of a particular government office as Resident Ombudsman of said agency and may revoke said appointment motu proprio. (N)

4. Qualifications. - The Resident Ombudsman must be (a) in the active service of the office, agency, or entity concerned; (b) of recognized probity, independence of mind, and proven integrity and competence; and (c) not be related or beholden to the head of the office, agency or entity.

5. Term of office. - A Resident Ombudsman shall serve for a term of two (2) years from the date of his appointment or until his tenure is terminated by the Ombudsman or his deputy.

6. Duties and functions. - A Resident Ombudsman shall:
- a. attend to requests for assistance filed directly with the Office, or assigned to him by its head or by the Office of the Ombudsman or by accredited Corruption Prevention Units (CPUs) and Junior Graftwatch Units (JGUs) and expedite and facilitate action thereon;
 - b. report anomalies, irregular acts, unethical conduct or illegal activities committed by the officials and employees of the office;
 - c. aid the Office of the Ombudsman in gathering evidence in cases under investigation by the latter;
 - d. make a study of standing procedures and systems in the office with a view to suggesting improvements therein, or recommending changes in the same as would prevent the incidence of graft and other irregularities perceived to have been facilitated by the existing systems and procedures;
 - e. perform such other functions as may be assigned to him by the Office of the Ombudsman;
 - f. submit an accomplishment/progress report to the Office of the Ombudsman at least once a month, or oftener as circumstances may require. The report should not be coursed thru the head or any other official of the office.
7. Powers. - All Resident Ombudsmen are hereby deputized as Ombudsman investigators with authority to conduct fact-finding inquiries in matters falling within their above-mentioned functions and, for such purpose, shall be deemed empowered to issue subpoena and subpoena duces tecum.
8. Status of Incumbent Resident Ombudsman. - All Resident Ombudsmen shall continue in such capacity until replaced by a successor appointed in accordance with this Administrative Order.

The Office of the Ombudsman strongly urges full cooperation and prompt compliance with the foregoing directives which are assigned primarily to implement and give reality to the constitutional precept that "public office is a public trust".

9. Effectivity. - This Administrative Order shall take effect upon completion of its publication in a newspaper of general circulation. (N)

This Administrative Order as amended shall supersede, modify or repeal all other previous issuances relating to the Resident Ombudsman, Non-Organic Program. (N)

Manila, Philippines, January 4, 2001. (N)

(Sgd.) ANIANO A. DESIERTO
Ombudsman