REPUBLIC OF THE PHILIPPINES
NATIONAL IRRIGATION ADMINISTRATION
CENTRAL OFFICE

NATIONAL IRRIGATION ADMINISTRATION
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MEMORANDUM CIRCULAR No. 16
Series of 2022

TO : **THE SENIOR DEPUTY ADMINISTRATOR, DEPUTY ADMINISTRATORS, DEPARTMENT/ REGIONAL/ PROJECT MANAGERS, DIVISION MANAGERS AND ALL OTHERS CONCERNED**

SUBJECT : **ADVISORY ON ELECTIONEERING AND PARTISAN POLITICAL ACTIVITIES IN THE WAKE OF THE FORTHCOMING ELECTORAL EXERCISE 2022**

All NIA officials and employees are hereby advised/reminded on the constitutional injunction against electioneering and conduct of partisan political activity by civil servants pursuant to Executive Order No. 292 (or the Administrative Code of 1987), particularly Section 55, Chapter 7, Title I, Book V thereof, which provides:

> *"Section 55. Political Activity – No officer or employee in the Civil Service including members of the Armed Forces, shall engage directly or indirectly in any partisan political activity or take part in any election except to vote nor shall he use his official authority or influence to coerce the political activity of any other person or body. Nothing herein provided shall be understood to prevent any officer or employee from expressing his views on current political problems or issues, or from mentioning the names of candidates for public office whom he supports. Provided, That public officers and employees holding political offices may take part in political and electoral activities but it shall be unlawful for them to solicit contributions from their subordinates or subject them to any of the acts involving subordinates prohibited in the Election Code"*

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CERTIFICATION INTERNATIONAL ISO 9001:2015
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The same prohibition is found in Republic Act No. 7160 or the Local Government Code of 1991. Similarly, the Omnibus Election Code, as amended, echoes the ban against any electioneering and partisan political activity of government officials and employees. Those who will be found guilty of engaging directly or indirectly in partisan political activities will be meted with a penalty of one (1) month and one (1) day to six (6) months suspension for the first offense; and dismissal from the service for the second offense according to the 2017 Rules on Administrative Cases in the Civil Service or 2017 RACCS.

The said prohibitory norm aims (1) to ensure that civil servants shall remain focused on the efficient administration of the affairs of the government; (2) to do away with the spoil system which is anathema to the meritocracy principle that is at the heart of the Philippine civil service system; and (3) to shield officers and employees from the vagaries of politics.

COMELEC Resolution No. 10049 has defined "election campaign" or "political activity" as **any act designed to promote the election or defeat of a particular candidate/s or party/ies to public office,** which includes any of the following:

a. Forming organizations, associations, clubs, committees, or other groups of persons for the purpose of soliciting votes and/or undertaking any campaign for or against a candidate/party;
b. Holding political caucuses, conferences, meetings, rallies, parades or other similar assemblies for the purpose of soliciting votes and/or undertaking any campaign for or against a candidate/party;
c. Making speeches, announcements, or commentaries, or holding interviews for or against the election of any candidate or party for public office;
d. Publishing, displaying, or distributing campaign literature, or materials designed to support or oppose the election of any candidate or party;
e. Directly or indirectly soliciting votes, pledges, or support for or against any candidate or party

CSC Memorandum Circular No. 30, s. 2009 has further included the following acts to the abovementioned enumeration:

f. Being a delegate to any political convention, or a member of any political committee or directorate, or any officer of any political club or other similar political organizations;
g. Receiving any contributions for political purposes, either directly or indirectly; and
h. Becoming publicly identified with the success or failure of any candidate/s or party/ies

CSC Memorandum Circular No. 9 s. 1992 included the following prohibited acts:

a. Wearing of t-shirts or pins, caps or any other similar election paraphernalia bearing the names of the candidates or political party except as authorized by the Commission on Elections;
b. Being a watcher for a political party or candidate during the election;
c. Consistent presence in political rallies, caucuses of, and continuous companionship with certain political candidates and/or political party in said political activities, causing the employee to be closely identified with such candidate and/or with political party;
d. Giving personal, financial or other monetary contribution, supplies, equipment and materials for the benefit of a candidate and/or political party;
e. Utilizing government resources such as personnel including job orders or contract of service hirees, time and properties for political purposes.

Distributing handbills/leaflets, attendance at political meetings and caucuses and distribution of letters indicating intention to run for public office are illustrative examples of electioneering and partisan political activities.

Meanwhile, the following are deemed excluded from the coverage of electioneering and partisan political activity, to wit:

a. Casting of one's vote;
b. Expressing one's view on current political problems or issues;
c. Mentioning the names of candidates or parties whom ones supports;
d. Public expressions, opinions, or discussions of probable issues in a forthcoming election, or on attributes of or criticism against probable candidates to be nominated in a forthcoming political party convention;
e. Social media functions such as "liking", commenting, "sharing", re-posting, or following a candidate's or party's account, unless these are resorted as a means to solicit support for or against a candidate or party during the campaign period.

In view of the foregoing, all are reminded to ensure that our Agency's resources (human, properties, supplies, materials, equipment) shall not be used for any electioneering and partisan political activities during the 2022 National Election.

Further, all are advised to make sure that NIA official meetings, including with its stakeholders, shall not be used for electioneering or partisan political activity.

For guidance and strict compliance.

GEN RICARDO R. VISAYA (Ret)
Administrator

01-31-2022
date