



Department of Social Welfare and Development

**ADMINISTRATIVE ORDER**

No. 11

Series of 2019

**SUBJECT: GUIDELINES ON THE ADOPTION AND IMPLEMENTATION OF POLICIES ON TOBACCO CONTROL AND PROTECTION AGAINST TOBACCO INDUSTRY INTERFERENCE IN THE DSWD**

**I. RATIONALE**

The Department of Social Welfare and Development (DSWD) is the primary government agency mandated to provide social welfare and development policies and programs for and with the poor and disadvantaged members of society. It strongly upholds the rights and promotes the interests of the poor, vulnerable and disadvantaged individuals, families, and communities. In particular, the Department supervises, monitors, and provides technical assistance and resource augmentation to concerned stakeholders for a more responsive and efficient implementation of social welfare and development (SWD) programs and projects. The Department also regulates Social Welfare and Development Agencies (SWDAs) to ensure that adequate and quality services are extended to the most vulnerable sectors.

As the lead government agency in promoting social services to the general public, it is an ethical and primary duty of the Department to care and to protect DSWD clientele, particularly children, and its own personnel from harm of tobacco use and threat of tobacco industry interference. Tobacco control measures help save lives, reduce health hazards, and counters economic toll on the citizen towards greater sustainable development. Hence, the Department is issuing this Guidelines on the adoption and implementation of policies on tobacco control and protection against tobacco industry.

**II. LEGAL BASES**

The issuance of this Administrative Order is in compliance with existing international conventions, domestic laws and administrative issuances as follows:

1. World Health Organization Framework Convention on Tobacco Control (WHO-FCTC) and the Guidelines for the Implementation of Article 5.3 of the WHO-FCTC;
2. Republic Act No. 8749 otherwise known as *The Philippine Clean Air Act of 1999*;
3. Republic Act No. 9211 otherwise known as *Tobacco Regulation Act of 2003*;
4. Executive Order No. 26, series of 2017 entitled "*Providing for the Establishment of Smoke-Free Environments in Public and Enclosed Spaces*";
5. Department of Health Administrative Order No. 2017-0023 or the "*Guidelines in the Effective Implementation and Enforcement of Executive Order (EO) No. 26: Providing for the Establishment of Smoke Free Environments in Public and Enclosed Places*";
6. Civil Service Commission Memorandum Circular No. 17, series of 2009, otherwise known as *The Smoking Prohibition based on 100% Smoke-Free Environment Policy*;

7. Joint Memorandum Circular No. 2010-01 issued by the Civil Service Commission and the Department of Health entitled "*Protection of the Bureaucracy Against Tobacco Industry Interference*";
8. Career Executive Service Board Resolution No. 1223 or the *Guidelines Requiring Full Disclosure of Interactions with the Tobacco Industry by Career Executive Service Officers and Eligibles and Applicants for CES Eligibility*"; and
9. Department of Social Welfare and Development Administrative Order No. 07, series of 2018 or the "*Policy on the Protection of the Bureaucracy against Tobacco Industry Interference supplementing the Enhanced Guidelines on the Code of Conduct for Personnel of the Department of Social Welfare and Development*".

### III. OBJECTIVES

The objectives of this guidelines are:

1. To institutionalize the mechanisms for the effective implementation of tobacco control and protection measures for good governance;
2. To ensure strict implementation and facilitate enforcement of policies on tobacco control and protection against tobacco industry interference in the Department;
3. To raise the awareness of DSWD personnel, clients, and partners on the adverse effects of cigarette smoking on health and productivity, and of the tobacco industry interference; and
4. To adopt an integrated strategy to promote and implement a smoke-free environment and tobacco control policy.

### IV. COVERAGE

This guidelines shall cover all personnel of the Department regardless of rank and status of employment or engagement with the Department. It shall apply to the DSWD Central Office, Attached Agencies, Field Offices, Centers/Institutions, and satellite offices at the provincial, cluster/district<sup>1</sup>, and city/municipal levels.

### V. DEFINITION OF TERMS

1. **Assistance** – refers to help, contribution, or donation provided by an individual, group, government agencies, non-government agencies, associations, and private partner agencies—both foreign and domestic. Assistance may include, but not limited to, infrastructure, real estate property, training and skills development, sponsorship or summer youth camps, food, learning materials, gifts and services, gratuity favor, entertainment, loan or anything of monetary value, research funding, financial aid, policy drafts, and legal advice.
2. **Community-based** – refers to a mode of service delivery wherein the programs and services rendered when the helping process takes place in the community as the primary client system or when social welfare and development activities are provided

<sup>1</sup> This refers to the special projects, i.e., Pantawid Pamilyang Pilipino Program which has cluster operations offices.



to individuals, groups, or families while they remain in their homes. It is characterized by interaction between the client and worker in the community in relation to the resolution of identified problems and concerns (DSWD Administrative Order No. 16, series of 2012).

3. **Private Partner Entity** – refers to an individual engaged in trade or business or the practice of his/her profession or other business organizations, like partnership, corporation or cooperative, either resident or non-resident, who/which teams up with the registered/licensed/accredited Social Welfare and Development Agencies (SWDAs), towards providing much needed assistance and service to the latter's community-based and residential-based programs and services.
4. **Residential-based/Center-based** – refers to a mode of service delivery which refers to the programs and services where group care is provided to residents under the guidance of a trained staff and within a structured therapeutic environment with the objective of reintegrating him/her with the family or community or in the cases of children, it is until such time when a better alternative parental care has been identified for them (DSWD Administrative Order No. 16, series of 2012).
5. **Smoke-Free** – refers to air that is 100% free from tobacco smoke. This definition includes, but is not limited to, air in which tobacco smoke cannot be seen, smelled, sensed, or measured (Executive Order No. 26 and DOH Administrative Order No. 2017-0023).
6. **Smoking** – refers to being in possession or control of a lit tobacco product regardless of whether the smoke is being actively inhaled or exhaled (Executive Order No. 26 and DOH Administrative Order No. 2017-0023).
7. **Smoking/Tobacco Cessation** – refers to the systematic, safe, and sustainable process of withdrawing nicotine from a smoker's body (DOH Administrative Order No. 122 s. 2003); the process of stopping the use of any tobacco product, with or without assistance (DOH National Tobacco Control Strategy 2011-2016);
8. **Social Welfare and Development Agency (SWDA)** – refers to a person, corporation or organization, engaged in providing direct or indirect social welfare services and obtains its finances either totally or in part, from any agency or instrumentality of the government and/or from the community by direct or indirect solicitations and/or fund drives and/or endowment (Philippine Encyclopedia of Social Work 2000- Edition Volume 2 as cited in DSWD Administrative Order No. 16, series of 2012).
9. **Tobacco Industry** – refers to organizations, entities, association, and individuals that work for or in behalf of the tobacco industry, such as, but not limited to, tobacco manufacturers, wholesale distributors, importers of tobacco products, tobacco retailers, and groups and any other individuals or organizations, including, but not limited to lawyers, scientists and lobbyists that work to further the interests of the tobacco industry (CSC-DOH JMC 2010-01).
10. **Tobacco Industry Interference (TII)** – refers to a broad array of tactics and strategies used by the tobacco industry to interfere with setting and implementing tobacco control measures (CSC-DOH JMC 2010-01).<sup>2</sup>

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<sup>2</sup> Some examples include donations, sponsorships, and corporate social responsibility (CSR) activities, and meddling with policy-making process (CSC-DOH JMC 2010-01 Implementation Toolkit for Local Government Units). TII takes other forms which government offices should also be wary of: (1) giving preferential treatment to the tobacco industry; (2) accepting political contributions from the tobacco industry; (3) accommodating requests from the industry for postponement of compliance with

11. **Tobacco Products** – refers to any product/s entirely or partly made of tobacco leaf as raw material which are manufactured to be used for smoking, sucking, chewing or snuffing, such as but not limited to cigarette, cigar, pipe, shisha/hookah and chew tobacco (Executive Order No. 26 and DOH Administrative Order No. 2017-0023).
12. **Workplace** – refers to any place used by people during their employment or work, whether done for compensation or voluntarily, including all attached or associated places commonly used by the workers in the course of their work (for example, corridors, elevators, stairwells, toilets, lobbies, lounges). Vehicles other than public conveyances used in the course of work are considered workplaces, such as but not limited to taxis, ambulances and delivery vehicles (Executive Order No. 26 and DOH Administrative Order No. 2017-0023).

## VI. PROHIBITIONS

### 1. **Absolute No Smoking**

The Department and its personnel shall strictly comply with the absolute prohibition of smoking within the premises, buildings, facilities, grounds, and government motor vehicles of the DSWD Central Office, Attached Agencies, Field Offices, Centers and Institutions, and satellite offices. "No Smoking" signs shall be conspicuously displayed within these places.

### 2. **Unnecessary Interaction with Tobacco Industry**

The Department and its personnel shall interact with the tobacco industry only when strictly necessary for the latter's effective regulation, supervision, or control. Transparency in all interactions with the tobacco industry shall be observed. Any necessary interaction with the tobacco industry should be carried out in such a way as to avoid the creation of any perception of a real or potential partnership or cooperation resulting from or on account of such interaction. In the event the tobacco industry engages in any conduct that may create such a perception, it is the duty of the personnel of the Department to prevent or correct such perception.

### 3. **Preferential Treatment to the Tobacco Industry**

The Department and its personnel shall, first and foremost, serve the public interest, and are prohibited from giving preferential treatment to the tobacco industry, including but not limited to providing incentives, privileges, benefits, or exemptions to the tobacco industry, except as otherwise provided by law.

### 4. **Accepting Gifts, Donations and Sponsorship**

The Department and its personnel shall not solicit or accept, directly or indirectly, any gift, gratuity favor, entertainment, loan, or anything of monetary value in the course of their official duties or in connection with any operation being regulated by, or any

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regulations; (4) failing to institute a code of conduct for interactions of public and government officials or all agencies and branches of government with the tobacco industry; (5) meeting and interacting with the tobacco industry unnecessarily and without public disclosure or transparency; (6) failing to require that information provided by the tobacco industry be transparent and accurate; and (7) accepting money for tobacco industry corporate social responsibility programs (Corporate Accountability International and Southeast Asia Tobacco Control Alliance, as cited in CSC-DOH JMC 2010-01 Implementation Toolkit for Local Government Units).



transaction which may be affected by the functions of their office, from any person or business related to the tobacco industry<sup>3</sup>.

#### **5. Financial Interest in the Tobacco Industry**

The Department and its personnel shall not, directly or indirectly, have any financial or material interest in any transaction involving the tobacco industry requiring the approval of their office. In relation to this, personnel of the Department shall declare any interest in the tobacco industry in their annual declaration of assets and liabilities.

#### **6. Accepting Other Favors**

The Department and its personnel shall not accept any other favors analogous to those mentioned above. Moreover, neither a DSWD Personnel nor any member of his/her family shall accept employment or recommend any one to any position in any private enterprise connected with the tobacco industry which has a regular or pending official transaction with the agency<sup>4</sup>.

#### **7. Conflict of Interest with the Tobacco Industry**

The Department and its personnel shall avoid conflicts of interest with the tobacco industry at all times. When a conflict of interest arises, he/she shall resign from his/her position in the tobacco industry within thirty (30) days from his/her assumption of office and/or divest himself/herself of his/her shareholdings or interest within sixty (60) days from assumption to duty in the DSWD.

#### **8. Engaging in an Occupational Activity within the Tobacco Industry**

A personnel of the Department who has a role in setting and implementing public health policies with respect to tobacco control, shall inform the Department about any intention to engage in an occupational activity within the tobacco industry, whether gainful or not, within a specified period of time after leaving the service<sup>5</sup>; and to require applicants for such public office positions to declare any current or previous occupational activity within any tobacco industry whether gainful or not.

### **VII. GENERAL GUIDELINES**

#### **1. Absolute Smoking Ban in DSWD Premises and Other Similar Places Providing Social Welfare and Development Programs and Services**

1.1 Cigarette smoking shall be absolutely prohibited in offices and work stations. No enclosed places or open spaces shall be designated or established as smoking area within the DSWD premises, buildings, and grounds.

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<sup>3</sup> This shall include donation for disaster relief and operations as well as sponsorship/donations for DSWD residential care centers/facilities.

<sup>4</sup> This provision is based on Section 7(b) of Republic Act 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, which prohibits public officials and employees from accepting employment in any private enterprise regulated, supervised, or licensed, by their office or recommending any one to a position in any private enterprise which has a regular or pending official transaction with their office.

<sup>5</sup> The provision does not prohibit such engagement but merely requires retired officials or employee to inform his/her agency of such intention to prevent such personnel to exercise any influence in the said agency to advance the interest of the tobacco industry, which may cause grave damage and prejudice to public interest.

- 1.2 To better ensure a smoke-free environment in our premises, smoking shall also be prohibited within ten (10) meters from walkways or sidewalks immediately leading to gates/entrances.
- 1.3 Government motor vehicles are considered workplaces. As such, smoking shall be similarly prohibited. In case of privately owned vehicles used in the course of work that are parked within DSWD premises, smoking shall also not be allowed.
- 1.4 Residents and working personnel of DSWD residential and non-residential care facilities shall strictly comply with the smoke-free agency rules.
- 1.5 Bringing of tobacco-related products within DSWD premises is also prohibited. In case that bringing of tobacco product inside the premises cannot be avoided, these items should be lodged in a designated package counter before reporting to work or doing business in the Department and may be claimed only upon going out of the premises.
- 1.6 The Department shall establish partnership with the Department of Health (DOH) and other health organizations to refer willing personnel to a Smoking Cessation Program.

## **2. Entering into Partnerships**

- 2.1 The Department shall ban partnerships with entities such as, but not limited to funding institutions, service providers, individual sponsors, and partner non-government organizations (NGOs) that promote the interest of tobacco industries, or that are used by tobacco industries to interfere with any DSWD community-based, center-based, and residential care programs, projects, and facilities.
- 2.2 Ensure that any Memorandum of Agreement (MOA) entered into by DSWD with private partner entities shall specify the details and relevant provisions. The terms and conditions of the MOA shall be ratified by the DSWD Regional Director or the Head of Agency.

In case the agency verifies that the other party/parties transact or has any transaction with the tobacco industry, unless strictly necessary, the MOA shall be deemed revoked in accordance with due process.

- 2.3 All private partner entities with existing partnership/s with the DSWD, or other private entities who wish to partner with DSWD in providing assistance, shall submit the following documentary requirements:
  - 2.3.1 Articles of Incorporation from Securities and Exchange Commission (SEC) or Certificate of Registration at the Cooperative Development Authority (CDA), to prove its existence for at least a year;
  - 2.3.2 A self-certification under oath that the private partner entity must not have been prosecuted and found guilty of engaging in illegal activities such as money laundering and other similar circumstances;
  - 2.3.3 A Declaration of Commitment (Annex A) that it does not have any affiliation with tobacco industries or involved in any of their activities; and
  - 2.3.4 Accomplished documents as to assessment and monitoring of an authorized DSWD representative, preferably from Standards Bureau, with



- respect to compliance with this guidelines for a minimum period of six (6) months but not to exceed one (1) year.

2.4 A periodic review (once every two years) of any partnership entered into by the Department and private partner entity shall be conducted pursuant to this guidelines. Failure to comply with this guidelines shall subject the private partner entity to further assessment and appropriate action.

2.5 A copy of this guidelines and other advocacy materials shall be provided to all private partner entities.

### **3. Sponsorships and Receipt of Donations**

3.1 The Department shall not solicit or accept any donation, gifts, loan, gratuity favor, or anything of monetary value, whether in cash or in kind, for disaster operations, relief assistance, and sponsorships to centers and institutions from the tobacco industry<sup>6</sup>.

### **4. Registration, Licensing and Accreditation of Social Welfare and Development Agencies (SWDAs)**

4.1 Because the DSWD's regulatory services are considered necessary transaction of the agency, the Department would need to avoid any perception of a real or potential partnership with the tobacco industry. With this, SWDAs are required to submit a Declaration of Commitment (Annex A) that it does not have any affiliation with tobacco industries or involved in any of their activities as part of their requirements for registration, licensing, or accreditation.

Should it be known that the SWDAs have an affiliation with the tobacco industry, the conduct of the said transaction must be in a transparent manner to avoid perception of a real or potential partnership or cooperation with said SWDAs<sup>7</sup>.

4.2 The Department shall conduct information dissemination of the Joint Memorandum Circular No. 2010-01 among registered, licensed and accredited SWDAs, and among those who are applying for a solicitation permit. This Circular shall also be included as an agenda in any of the following activities:

4.2.1 - Orientation of guidelines; and

4.2.2 Area Based Standards Network (ABSNET) National/Regional/Cluster meeting.

4.3 Encourage the officials and staff of the registered/licensed/accredited SWDAs to adopt this guidelines and support the efforts of the Department and other National Government Agencies in relation to partnering with the tobacco industries.

### **5. Disaster Response Operations**

5.1 Evacuation centers and temporary shelters, considered as public places, managed by the DSWD shall absolutely be a No Smoking area. Likewise, rented facilities

<sup>6</sup> This is in consonance with the thrust of the JMC 2010 - 01 to protect the bureaucracy from the tobacco industry interference by avoiding any perception of a real or potential partnership between DSWD and the tobacco industry.

<sup>7</sup> Item ii, Annex A of CSC-DOH JMC 2010 - 01.

serving as disaster operations center shall also be covered by the smoking prohibition.

5.2 Volunteers who are engaged during disaster response operations shall also absolutely observe the No Smoking in policy in the course of their volunteerism activities/engagement in the Department or its disaster response bureau/units.

5.3 Clients shall be informed of the No Smoking policy in evacuation centers and temporary shelters. In case of violation, they shall be sanctioned in accordance with applicable penalties provided under applicable laws i.e. EO No. 26.

## **6. Implementation of Social Protection Programs through the Sustainable Livelihood Program (SLP), Pantawid Pamilyang Pilipino Program (4Ps) and KC-NCDDP**

6.1 SLP, 4Ps, and KC-NCDDP shall not promote the production of tobacco products in their project areas.

6.2 Education, information and communication strategies shall be employed with the beneficiaries and local community leaders to raise awareness about the addictive and harmful nature of tobacco products and about tobacco industry interference.

## **VIII. TOBACCO CONTROL STRATEGIES**

### **1. Information, Education, and Communication**

1.1 All DSWD personnel shall be properly informed about this guidelines on tobacco control and protection against tobacco industry interference through regular assemblies such as flag ceremonies and wellness related fora. They shall sign the Affirmation and Commitment to the Guidelines (Annex B) to be attested by the Head of Office, Bureau, or Service. All signed forms shall be submitted to the Technical Working Group (TWG) Chairperson<sup>8</sup>.

1.2 All personnel are enjoined to disseminate information about the addictive and harmful nature of tobacco products and tobacco industry interference with tobacco control policies.

1.3 Display of visibility materials such as the NO SMOKING and NO DEAL WITH THE TOBACCO INDUSTRY (Annex C) shall be prominently posted and/or displayed in the entrance and other conspicuous locations most visible to the public.

1.3.1 The "No Deal with the Tobacco Industry" poster shall be placed and displayed prominently in conspicuous locations within government premises and grounds most visible to the public. The signage shall be at least 10x16 inches in size and shall be posted in the following locations:

- Gate (entrance and exit)
- Parking areas
- Building entrance and exit
- Elevator lobby

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<sup>8</sup> Refer to Section IX of this Guidelines



- Waiting areas

1.3.2 The "No Smoking" posters shall be placed and displayed prominently in conspicuous locations within government premises and grounds most visible to the public. The signages shall be at least 10x16 inches in size with the International No Smoking Symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it). Side by side with the "No Deal with the Tobacco Industry" poster, it shall be posted in the following locations:

- Gate (entrance and exit)
- Parking areas
- Building entrance and exit
- Elevator lobby
- Waiting areas

1.3.3 The "No Smoking" stickers shall be posted and displayed prominently in all government motor vehicles. These should be at least 2.5x4 inches in size to be placed on the windshield, provided that the same does not obstruct the driver's view. Furthermore, there shall be at least 2.5x4 inches "No Smoking" signage to be placed at the driver's back seat. Other conspicuous location may be identified for bigger vehicles.

1.3.4 Tarpaulins, posters, and other materials depicting full-colored graphic health warnings on the ill effects of smoking may be displayed in conspicuous areas of the building premises.

1.3.5 All signages shall be posted in English, Filipino, and/or the local dialect.

1.4 Lectures on the adverse effects of tobacco use and threats of tobacco industry interference shall be conducted through advocacy and capability building activities for personnel, partners, volunteers, and clients. Likewise, this guidelines shall be integrated into the Agency Orientation Program for Newly Hired Personnel.

1.5 The Department shall participate in the international and national celebrations and activities such as, but not limited to, World No Tobacco Day in May and No Smoking Month in June.

## **2. Smoking Cessation Program**

2.1 Participation to the Smoking Cessation Program is voluntary in nature.

2.2 The Department, with assistance from the Department of Health, shall make the cessation intervention services, particularly brief interventions, available and accessible to all personnel in need of such services.

## **3. Collaborations, Partnerships and Linkages**

3.1 The Department, through its TWG, shall actively participate in the National Tobacco Control Cell (NTCC) Article 5.3 activities. It shall collaborate with the member agencies on efforts on tobacco control and prevention of tobacco industry interference.

- 3.2 The Department will build partnership and alliances with the Civil Society Organizations that promote and strengthen public health policies on tobacco control. The Department shall benefit from the sharing on legal and strategic expertise for countering tobacco industry strategies and tactics.<sup>9</sup>
- 3.3 The conduct of capability building related activities to build capacities of DSWD personnel in the prevention of tobacco use and tobacco industry interference. Shall be in partnership with the Civil Service Commission (CSC), Department of Health (DOH), World Health Organization (WHO), and Civil Service Organizations (CSOs) which can be tapped for technical assistance and resource augmentation.

#### 4. Rewards and Incentives

- 4.1 The Department shall nominate its offices as well as residential care center/facilities with successful implementation to the DOH Red Orchid Award (ROA) or the Search for 100% Tobacco-Free Environment, and other award giving bodies in recognition of its efforts.
- 4.2 The Department shall consider the provision of appropriate award/ recognition/ incentives to personnel, partners, volunteers and clients with high compliance to this guideline.

### IX. TECHNICAL WORKING GROUP

To ensure the overall implementation and compliance to this Guidelines, a DSWD CSC-DOH JMC 2010-01 Technical Working Group shall be constituted at the Central and Field Offices composed of the following:

#### 1. Central Office Technical Working Group (CO-TWG)<sup>10</sup>

##### 1.1 Composition

Chairperson: Assistant Secretary for Administration,  
General Administration and Support Services Group

Vice-Chairperson: Director, Administrative Service

Members (Primary and Alternate Representatives):

Disaster Response Management Bureau  
Human Resource Management and Development Service  
Legal Service  
Program Management Bureau  
Standards Bureau  
Social Marketing Service  
National Response and Logistics Management Bureau  
Pantawid Pamilyang Pilipino Program NPMO  
Sustainable Livelihood Program NPMO  
KC-NCDDP NPMO  
Administrative Service  
Social Welfare Employees Association of the Philippines

<sup>9</sup> Guidelines for Implementation of Article 5.3 of the WHO Framework Convention on Tobacco Control, p. 9.

<sup>10</sup> Based on AO No.1, series of 2019: Management Reorganization of the DSWD Central Office.



Secretariat: Human Resource Management and Development Service

## 1.2 Functions

- Represent DSWD in the National Tobacco Control Sub-Committee on Framework Convention on Tobacco Control (FCTC) Article 5.3;
- Conduct policy review and recommend improvements of DSWD policies, guidelines and systems in accordance with relevant laws, rules, and regulations;
- Plan and monitor compliance strategy of all DSWD Offices, Centers, Institutions, and Attached Agencies to this Guidelines and other relevant laws, rules, and regulations; and
- Synchronize all tobacco control efforts of the Department.
- Prepare CO report and consolidate the regional reports as basis for the Department wide annual report and annual budget plan.

## 2. Field Office Technical Working Group (FO-TWG)<sup>11</sup>

### 2.1 Composition

Chairperson: Regional Director

Vice-Chairperson: Assistant Regional Director for Administration

Members (Primary and Alternate Representatives):

Administrative Division  
Disaster Response Management Division  
Human Resource Management and Development Division  
Protective Services Division  
Policy and Plans Division  
Promotive Services Division  
Social Welfare Employees Association of the Philippines

Secretariat: Human Resource Management and Development Division

### 2.2 Functions

- Ensure implementation of policy guidelines and activities relative to tobacco control;
- Monitor the compliance to this Guidelines at the regional level;
- Recommend policy changes affecting implementation of social welfare and development programs and services;

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<sup>11</sup> Based from AO No.1, s. 2018: Functional Structure of the DSWD Field Offices.

- Conduct continuing advocacy and capability building programs for DSWD personnel and partners; and
- Prepare and submit reports to the CO-TWG.

### **3. Attached Agencies**

DSWD Attached Agencies shall create their own TWG which shall be composed of representatives from key offices to ensure the implementation and compliance monitoring to this Guidelines.

## **X. REPORTING OF VIOLATIONS**

1. Personnel are required to report any form of activity of the tobacco industry dubbed as part of their "corporate social responsibility" such as activities employed by the industry for their marketing and public relations strategy that circumvents the prohibitions on tobacco advertising, promotion, and sponsorship.
2. Personnel shall give information about any type of agreement with the tobacco industry or any information that would facilitate the enforcement of policy against tobacco industry interference. Information shall include reports on any interaction with the tobacco industry, any preferential treatment given to the tobacco industry and any offer of donation to the public official or employee by the tobacco industry. To encourage transparency and accountability, this information shall be accessible to the public.
3. A report of any violation shall be submitted in writing to the Human Resource Management and Development Service/Division per prescribed complaint form (Annex D) and shall be acted upon by the TWG.

## **XI. PENALTIES AND SANCTIONS**

Any violation of this Guidelines shall be considered a ground for administrative disciplinary action pursuant to the existing Rules on Administrative Cases in the Civil Service, without prejudice to the filing of criminal or civil actions under existing laws, rules and regulations.

## **XII. MONITORING OF COMPLIANCE**

1. The TWG at the Central Office and Field Offices shall periodically monitor the compliance to this Guidelines. A quarterly meeting shall be conducted for this purpose.
2. The FO-TWG shall prepare and submit an annual report to the CO-TWG. The HRMDS shall prepare the report for the Central Office. These annual compliance reports shall be consolidated by the CO-TWG Secretariat who shall endorse to the CO-TWG Chairperson for onward submission to the CSC.



### XIII. FUNDING REQUIREMENTS

Funding requirements for the implementation of the tobacco control efforts and protection against tobacco industry interference shall be provided by the Department, subject to the availability of funds and propriety of fund source therefor.

Further, it shall be part of the yearly budget appropriation of the Human Resource Management and Development Service/Division, subject to existing budgeting, accounting and auditing rules and regulations.

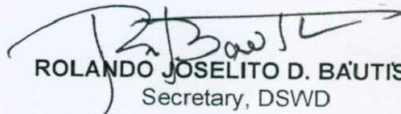
### XIV. REPEALING CLAUSE

Memorandum Circular No. 2, series of 2003, and all other previous administrative issuances that are contrary or inconsistent to this Administrative Order are deemed repealed or amended accordingly.

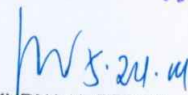
### XV. EFFECTIVITY

This Administrative Order shall take effect immediately upon its issuance.

Issued in Quezon City this 23rd day of May, 2019.

  
ROLANDO JOSELITO D. BAUTISTA  
Secretary, DSWD

Certified True Copy:

  
MYRNA H. REYES  
OIC-Division Chief  
Records and Archives Mgt. Division



Department of Social Welfare and Development

## DECLARATION OF COMMITMENT

Consistent with the principle that there is an irreconcilable conflict of interest between public health, public safety, and provision to public services on one hand and the interests of the tobacco industry, and its representatives on the other, the Undersigned hereby commits and supports all government efforts to protect the bureaucracy against any interference from the tobacco industry.

Given this, the Undersigned declares that he/she is, *at present\**, **not directly or indirectly representing, or not directly or indirectly receiving donation or payment** from any tobacco product manufacturer or wholesaler, or any parent, affiliate or subsidiary of a tobacco product manufacturer or wholesaler, or any person, interest group, advocacy organization, law firm, advertising agency, or other business or organization that represents the interests of the tobacco industry.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Name : \_\_\_\_\_

Position : \_\_\_\_\_

Organization : \_\_\_\_\_

Signature : \_\_\_\_\_

\* In case of any past interests related to the tobacco industry, please list the details of such interest in the blank spaces provided (name of tobacco company, date of involvement, details of involvement):

Name of Tobacco Company	Date/Period of Involvement	Details of Involvement





**AFFIRMATION AND COMMITMENT TO THE  
GUIDELINES ON THE ADOPTION AND IMPLEMENTATION OF POLICIES ON  
TOBACCO CONTROL AND PROTECTION AGAINST  
TOBACCO INDUSTRY INTERFERENCE**

As a personnel of the Department of Social Welfare and Development, I hereby certify that I have received, read, and understood the "Guidelines on the Adoption and Implementation of Policies on Tobacco Control and Protection against Tobacco Industry Interference". Likewise, I shall make myself available to be informed and oriented about the tobacco control measures of the Department. I hereby affirm my commitment to unconditionally abide by the provisions stipulated therein. Moreover, I shall be answerable to the Department for whatever violations or infractions that I may commit in contravention of this Guidelines.

\_\_\_\_\_  
Name and Signature

Date : \_\_\_\_\_

Attested by:

\_\_\_\_\_  
Name and Signature of Head of office

\_\_\_\_\_  
Position / Designation



Dimension: at least 2.5"x4"

Proposed Location:

- Windshield that do not obstruct the driver's view
- Driver's back seat
- Other conspicuous location for bigger vehicles

Note:

The template indicates that the reporting of violations in the DSWD Central Office is coursed through Asec. Rodolfo Santos as Chairperson for the TWG CSC-DOH JMC 2010-01.

At the Field Office, the posters must indicate reporting of violations to be concerned official based on the Regional Special Order issued for the purpose.





Dimension: at least 10"x16"

Proposed Location:


- Gate (Entrance & Exit)
- Parking Areas
- Building Entrance/Exit
- Elevator Lobby
- Waiting Areas

Note:

The template indicates that the reporting of violations in the DSWD Central Office is coursed through Asec. Rodolfo Santos as Chairperson for the TWG CSC-DOH JMC 2010-01.

At the Field Office, the posters must indicate reporting of violations to be concerned official based on the Regional Special Order issued

10"




**DSWD**  
Department of Social Welfare and Development

# NO DEAL

with the

# TOBACCO INDUSTRY

Protect public health from the commercial and vested interests of the Tobacco Industry.  
Promote integrity, accountability, and transparency in public office.



as per CSC-DOH JMC No. 2010-01  
(Protection of the Bureaucracy Against Tobacco  
Industry Interference)

Violation of this is a ground for disciplinary action.  
Report violations to:  
Asec. Rodolfo M. Santos at 934-9135

16"

**SAMPLE POSTER**

Dimension: at least 10"x16"

Proposed Location:

- Gate (Entrance & Exit)
- Parking Areas
- Building Entrance/Exit
- Elevator Lobby
- Waiting Areas

Note:

The template indicates that the reporting of violations in the DSWD Central Office is coursed through Asec. Rodolfo Santos as Chairperson for the TWG CSC-DOH JMC 2010-01.

At the Field Office, the posters must indicate reporting of violations to be concerned official based on the Regional Special Order issued



**REPUBLIC OF THE PHILIPPINES**  
(REPUBLIKA NG PILIPINAS)

**COMPLAINT FORM**  
(PORMULARYO NG REKLAMO)

1. **The Personal circumstances of the party/parties concerned are as follows:**  
(Mga personal na impormasyon ng mga panig:)

<b>Name of the person/s complained of:</b> (Pangalan ng tao/ mga taong inireklamo)	
<b>Position:</b> (Katungkulan:)	
<b>Office:</b> (Ibangapang:)	

2. **It is alleged that the person/s complained of violated the following provisions/s of the JMC 2010-01 or CSC MC No.17, S. 2009 (please check):**  
(Sinasabi na itabag ng taong/taong inireklamo ang sumusunod na inditana/mga tudhana ng JMC 2010-01 o CSC MC No.17, S. 2009 (Mangyaring markahan ng (sek))

<input type="checkbox"/>	Unnecessary Interaction with the Tobacco Industry (tobacco industry refers to manufacturers, distributors, importers, and supporters of tobacco products.) (Nakikipag-ugnayan nang hindi kinakailangan sa Industriya ng Tabako (ang industriya ng tabako ay tumutukoy sa mga manggagawa, tagapamahagi, tagaangkat, at mga tagapagtaguyod ng mga produktong tabako.)
<input type="checkbox"/>	Preferential treatment to the Tobacco Industry (May pagkiling na pagtrato sa Industriya ng Tabako)
<input type="checkbox"/>	Accepting Gifts, Donations and Sponsorship from the Tobacco Industry (Tumatanggap ng mga regalo, donasyon at tulong mula sa Industriya ng Tabako)
<input type="checkbox"/>	Having financial interest in the Tobacco Industry (May pakinabang na salapi sa Industriya ng Tabako)
<input type="checkbox"/>	Accepting other favors from the Tobacco Industry (Tumatanggap ng iba pang kabutihang loob mula sa Industriya ng Tabako)
<input type="checkbox"/>	Having a conflict of interest with the Tobacco Industry (May ibang hangaring salungat sa Pamahalaan at pabor sa Industriya ng Tabako)
<input type="checkbox"/>	Engaging in an occupational activity within the Tobacco Industry (May isinasagawang gawain sa loob ng Industriya ng Tabako)
<input type="checkbox"/>	Others prohibitions under the JMC 2010-01 (Mga iba pang ipinagbabawal sa ilalim ng JMC 2010-01 (mangyaring tiyakin): _____
<input type="checkbox"/>	CSC MC No. 17, S. 2009 (Smoke Prohibition based on 100% Smoke-Free Environment (Pagbabawal sa Paninigarilyo batay sa Patakarang 100% Smoke-Free Environment Policy)

3. **(A) The alleged violation is committed as follows (narrate the relevant facts):**  
Ang sinasabing paglabag ay nagawa gaya ng sumusunod (isalaysay ang mga kaugnay na pangyayari):

**(B) When did the violation of the JMC 2010-01 or CSC MC No. 17, S. 2009 occur?**  
Kailan nangyari ang paglabag sa JMC 2010-01 o CSC MC No. 17?

**(C) If no specific date, give the time period:**  
Kung walang tiyak na petsa, ibigay ang saklaw na panahon:

Date started (Petsa ng Simula): \_\_\_\_\_ Through (Hanggang): \_\_\_\_\_

4. What is the proof that the person complained of violated the provision/s under JMC 2010-01 or CSC MC No. 17, S. 2009 (please check)?

Ann ang inyong katibayan na ulubag ng tao/mga taong inirereklamo ang alinmang ipinagbabawal sa ilalim ng JMC 2010-01 o CSC MC No. 17? (maagyanging lagyan ng tsek)

<input type="checkbox"/>	Memorandum of Agreement/Understanding and other Agreements between the Tobacco Industry and the Agency Concerned (Memorandum ng Kasunduan/Unawaan at iba pang mga Kasunduan ng Industriya ng Tabako at ng Kinakailangang ahensiya)
<input type="checkbox"/>	Pictures of the Government Officers together with Tobacco Industry Representatives (Mga larawan ng mga Opisyal ng Pamahalaan na kasama ng mga kinatawan ng Industriya ng Tabako)
<input type="checkbox"/>	Letters from/to the Tobacco Industry (Mga liham mula/sa Industriya ng tabako)
<input type="checkbox"/>	Financial documents showing receipt of funds from Tobacco Industry (Mga dokumentong pampunanalapi na nagpapakita ng pagtanggap ng salapi mula sa Industriya ng Tabako)
<input type="checkbox"/>	Statements of Assets, Liabilities and Net worth (SALN) (Mga Pahayag ng Ari-arian at Pananagutan o SALN)
<input type="checkbox"/>	Employment/Consultancy Contract with the Tobacco Industry (Kontrata ng Pagkakaempleo/pagiging kasangguni sa industriya ng tabako)
<input type="checkbox"/>	Pictures of the person complained of smoking within government premises/Affidavits of witnesses (Mga larawan ng taong inirereklamang nagsisigarilyn sa loob ng gustalng panipamahalaan/Mga Affidavit ng mga saksi)
<input type="checkbox"/>	Others (Iba pa) _____

(B) Is the proof attached to this form? Yes (OO)  No (Hindi)

(Kalkapin ba ng pormularyong ito ang katibayan)

**PRAYER**  
(PAGSAMD)

WHEREFORE, complainant respectfully prays judgment that:

(Dahil sa mga binengit sa unahan, magalang na nagsusumamo ang nagreklamo na ang hatol ay maging gaya ng sumusunod)

- The person/s complained of be held liable for violation of JMC 2010-01/CSC MC No.17, S. 2009, and impose the necessary administrative sanctions;  
(Panagutin ang tao/mga taong inirereklamo dahil sa paglabag sa JMC 2010-01/CSC MC No. 17, s. 2009 at ipataw ang kinakailangang mga batas administratibo.)
- Grant all other reliefs allowed by law.  
(Pagkalooban ng lahat ng iba pang tulong na ipinahihintulot ng batas.)

City of \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.  
(Lungsod ng) \_\_\_\_\_ (ng)

Complainant's Name (Pangalan ng Nagreklamo)	
Address (Tirahan)	
Signature (Lagda)	



**Verification and Certification of Non-Forum Shopping**

(Pagpapatotoo at Pagpapatunay na Walang Forum Shopping)

I, \_\_\_\_\_, of legal age, after having been duly sworn in  
 (Ako si \_\_\_\_\_, nasa hustong gulang, pagkaraang manumpa gaya ng nuroreput)  
 accordance with law, depose and state that:  
 (alinangod sa batas, ay nagsasabi na:)

1. I am the complainant in the above-stated case and I have caused the preparation of the foregoing complaint. (Ako ang nagreklamo sa kaso na binabanggit sa itaas at ako ang nagsagawa ng naunang reklamo.)
2. I have read the contents thereof and the facts stated therein are true and correct of my personal knowledge and/or on the basis of copies of documents and records in my possession; (Nabasa ko ang nilalaman ng reklamo at ang mga nakasaad doon ay totoo at tama sa pagkakaalam ko at/o nakabatay sa mga sipi ng mga dokumento at kasulatang hawak ko.)
3. I have not commenced any other action or proceeding involving the same issues in the Supreme Court, the Court of Appeals, or any other tribunal or agency; (Wala akong isinagawang iba pang aksiyon o demanda na tungkol sa mga usapin ding ito sa Korte Suprema, Hukuman sa Paghahabol, o sa alinangang iba pang hukuman o ahensiya.)
4. To the best of my knowledge and belief, no such action or proceeding is pending in the Supreme Court, the Court of Appeals, or any other tribunal or agency; (Sa aking pagkakaalam at paniniwala, walang ayonang aksiyon o demanda ang nakabibilin sa Korte Suprema, Hukuman sa Paghahabol, o iba pang hukuman o ahensiya.)
5. If I should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or any other tribunal or agency, I undertake to report that fact within five (5) days therefrom to the Civil Service Commission. (Sakaling malaman ko na may nakahain o nakabibilin na katulad na aksiyon o demanda sa Korte Suprema, Hukuman sa Paghahabol, o alinangang iba pang hukuman o ahensiya, tulat ko ang bagay na ito sa loob ng limang (5) araw mula sa araw na malaman ito sa Komisyon sa Serbisyo Sibil.)

\_\_\_\_\_  
**Complainant**  
 (Nagreklamo)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, here at \_\_\_\_\_  
 (Sumumpa sa harap ko ngayong) (araw ng) sa lungsod ng

NOTARY PUBLIC  
 (NOTARYO PUBLIKO)

**REPUBLIC OF THE PHILIPPINES**  
(REPUBLIKA NG PILIPINAS)

**ANONYMOUS COMPLAINT FORM**  
(PORMULARYO NG REKLAMO NA HINDI PINANGALAMAN)

1. **The Personal circumstances of the party/parties concerned are as follows:**  
(Mga personal na impormasyon ng mga panig:)

<b>Name of the person/s complained of:</b> (Pangalan ng tao/ mga taong inireklamo)	
<b>Position:</b> (Katungkulan:)	
<b>Office:</b> (Tanggapan:)	

2. **It is alleged that the person/s complained of violated the following provisions/s of the JMC 2010-01 or CSC MC No.17, S. 2009 (please check):**

(Sinasabi na nilabag ng tao/mga taong inireklamo ang sumusunod na tadhana/mga tadhana ng JMC 2010-01 o CSC MC No.17, S. 2009  
(Mangyaring markahan ng tsek)

<input type="checkbox"/>	Unnecessary Interaction with the Tobacco Industry (tobacco industry refers to manufacturers, distributors, importers, and supporters of tobacco products.) (Nakikipag-ugnayan nang hindi kinakailangan sa Industriya ng Tabako (ang industriya ng tabako ay tumutukoy sa mga manggagawa, tagapamahagi, tagaangkat, at mga tagapagtaguyod ng mga produktong tabako.)
<input type="checkbox"/>	Preferential treatment to the Tobacco Industry (May pagkiling na pagtrato sa Industriya ng Tabako)
<input type="checkbox"/>	Accepting Gifts, Donations and Sponsorship from the Tobacco Industry (Tumatanggap ng mga regalo, donasyon at tulong mula sa Industriya ng Tabako)
<input type="checkbox"/>	Having financial interest in the Tobacco Industry (May pakinabang na salapi sa Industriya ng Tabako)
<input type="checkbox"/>	Accepting other favors from the Tobacco Industry (Tumatanggap ng iba pang kabutihang loob mula sa Industriya ng Tabako)
<input type="checkbox"/>	Having a conflict of interest with the Tobacco Industry (May ibang bangaring salungat sa Pamahalaan at pabor sa Industriya ng Tabako)
<input type="checkbox"/>	Engaging in an occupational activity within the Tobacco Industry (May isinasagawang gawain sa loob ng Industriya ng Tabako)
<input type="checkbox"/>	Others prohibitions under the JMC 2010-01 (Mga iba pang ipinagbabawal sa ilalim ng JMC 2010-01 (mangyaring tiyakin): _____
<input type="checkbox"/>	CSC MC No. 17, S. 2009 (Smoke Prohibition based on 100% Smoke-Free Environment (Pagbabawal sa Paninigarilyo batay sa Patakarang 100% Smoke-Free Environment Policy)

3. **(A) The alleged violation is committed as follows (narrate the relevant facts):**  
Ang sinasabing paglabag ay nagawa gaya ng sumusunod (isalaysay ang mga kaugnay na pangyayari):

\_\_\_\_\_

\_\_\_\_\_

**(B) When did the violation of the JMC 2010-01 or CSC MC No. 17, S. 2009 occur?**  
Kailan nangyari ang paglabag sa JMC 2010-01 o CSC MC No. 17?

**(C) If no specific date, give the time period:**  
Kung walang tiyak na petsa, ibigay ang saklaw na panahon:

Date started (Petsa ng Simula): \_\_\_\_\_ Through (Hanggang): \_\_\_\_\_

4. What is the proof that the person complained of violated the provision/s under JMC 2010-01 or CSC MC No. 17, S. 2009 (please check)?

Ano ang inyong katibayan na mlabag ng tao/mga taong inireklamo ang alinmang ipinagbabawal sa ilinim ng JMC 2010-01 o CSC MC No. 17? (mangyaring lagyan ng tsek)

	Memorandum of Agreement/Understanding and other Agreements between the Tobacco Industry and the Agency Concerned (Memorandum ng Kasunduan/Unawaan at iba pang mga Kasunduan ng Industriya ng Tabako at ng Kinakukutang ahensiya)
	Pictures of the Government Officers together with Tobacco Industry Representatives (Mga larawan ng mga Opisyal ng Pamahalaan na kasama ng mga kinatawan ng Industriya ng Tabako)
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	Others (Iba pa) _____

(B) Is the proof attached to this form? Yes (OO)  No (Hindi)

(Kalakip ba ng pormularyong ito ang katibayan)