

DSWD OPINION NO. 77 S. 2024
MEMORANDUM

DRN: LS-L-LO-24-10-83012-C

FOR : UNDERSECRETARY ALAN A. TANJUSAY
Vice-Chairperson of PRAISE National Committee
Per Special Order No. 4000, Series of 2024

FROM : THE ASSISTANT SECRETARY FOR GENERAL
ADMINISTRATION AND SUPPORT SERVICES GROUP AND
CONCURRENT OFFICER-IN-CHARGE, LEGAL SERVICE

SUBJECT : LEGAL OPINION ON THE SIGNATORY OF THE SELF-
CERTIFICATION OF NO PENDING/NON-CONVICTION OF ANY
OFFENSE OF CONTRACT OF SERVICE (COS) AND JOB
ORDER (JO) WORKERS FOR THE 2024 PRAISE AWARDS
SEARCH

DATE : 28 OCTOBER 2024

This pertains to your Memorandum¹ requesting legal opinion and guidance on the rightful signatories who shall co-signify the **self-certification**² in connection with the nomination of the Contract of Service/Job Order (COS/JO) workers to any of the categories of the 2024 Program on Awards and Incentives for Service Excellence (PRAISE) Awards Search.

It was mentioned in your Memorandum that a Certificate of No Pending Administrative Case (CENOPAC), which is issued only to DSWD employees, is one of the documentary requirements among the participating DSWD workforce for career and non-career personnel in the said PRAISE Awards. Thus, to facilitate the nomination of the COS/JO workers, the PRAISE National Committee has agreed for the aforesaid self-certification, in lieu of the CENOPAC, which is patterned after the Civil Service Commission (CSC) Certification of No Pending Case/Non-Conviction of Any Offense.³

The PRAISE National Committee is specifically seeking legal advice on whether the Head of Office (Director and/or Cluster Heads) as the Approving Authority under the Memorandum of Agreement (MOA) contracts for COS/JO workers can co-sign the certification under the "Noted by" portion.

Comment

A self-certification is a voluntary declaration of statement, and in this case, by the nominee COS/JO worker in relation to the 2024 PRAISE Awards Search. Patterned after the Civil Service Commission (CSC) SPEL Form 1, April 2012 or the Certification of No Pending Case/ Non-Conviction of Any Offense, the self-certification may be an appropriate document in lieu of the CENOPAC issued by Legal Service (LS) for permanent/regular employees requesting for such document.

¹ Annex A – Memorandum from PRAISE National Committee dated 13 September 2024

² Annex A-1 – Self-Certification Template

³ Annex A-2 – CSC SPEL Form 1, April 2012

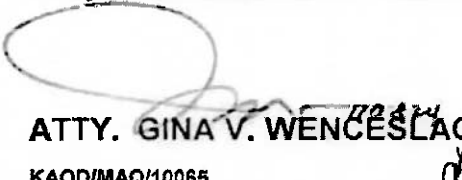
By its nature, self-certification contains statements that are attributable to the author based on his voluntary disclosure of facts. In the template under review, the self-certification contains a categorical consequence for any misrepresentation, without prejudice to the filing of appropriate administrative and/or criminal action against the author.

Thus, for the specific purpose for which said self-certification is to be executed, we are of the considered view that the signature of the COS/JO worker will suffice, taking into account that the notation by the Head of Office, Bureau, and Service will not be relevant in view of the nature of the self-certification.

Please be informed that the foregoing legal opinion is based solely on the information provided by your office, and may vary based on additional information or document/s or when the facts are changed or elaborated.

Kindly fill out the attached Customer Feedback Form and return to the Legal Service.

For your consideration. Thank you.


ATTY. GINA V. WENCESLAO

KAOD/MAQ/10085