



Republic of the Philippines
Department of Education



JAN 1 8 2012

DepEd ORDER
No. **6**, s. 2012

**GUIDELINES ON THE ADOPTION AND IMPLEMENTATION OF PUBLIC HEALTH
POLICIES ON TOBACCO CONTROL AND PROTECTION AGAINST TOBACCO
INDUSTRY INTERFERENCE**

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Heads, Public and Private Elementary and Secondary Schools
All Others Concerned

1. The Department of Education (DepEd) has issued the enclosed **Guidelines on the Adoption and Implementation of the Public Health Policies on Tobacco Control and on Protection Against Tobacco Industry Interference** in compliance with the following:

- 1.a. Republic Act (RA) No. 9211 known as *Tobacco Regulation Act of 2003*;
- 1.b. Joint Memorandum Circular 2010-01 issued by the Civil Service Commission (CSC) and the Department of Health (DOH) entitled "*Protection of the Bureaucracy Against Tobacco Industry Interference*"; and
- 1.c. Guidelines for the Implementation of Article 5.3 of the World Health Organization Framework Convention on Tobacco Control (WHO-FCTC).

2. These Guidelines aim to:

- a. raise the awareness of the public particularly the pupils and students by advocating the adverse effects of cigarettes smoking on health, productivity, the cost of health service, and the economy;
- b. avoid all forms and manner of cooperation or partnership with the tobacco industry; and
- c. ensure tobacco control and protection against commercial and other vested interests of the tobacco industry.

3. Any violation of these Guidelines shall be considered a ground for administrative disciplinary action pursuant to Rule XIV (Discipline) of the Omnibus Rules Implementing Book V of Executive Order No. 292, without prejudice to the filing of criminal as well as civil actions under existing laws, rules, and regulations.

4. Immediate dissemination of and strict compliance with this Order is directed.

BR. ARMIN A. LUISTRO FSC
Secretary

Encl.:

As stated

Reference:

None

To be indicated in the Perpetual Index
under the following subjects:

EMPLOYEES

OFFICIALS

POLICY

RULES & REGULATIONS

SCHOOLS

MCR, DO- Adoption and Dissemination of CSC-DOH-2nd version
Jan. 11, 2012/1-12-11

**GUIDELINES ON THE ADOPTION AND IMPLEMENTATION OF PUBLIC HEALTH
POLICIES ON TOBACCO CONTROL AND PROTECTION AGAINST TOBACCO
INDUSTRY INTERFERENCE**

Coverage

These Guidelines cover all officials and employees of the department, regardless of status of employment.

1. Definition of Terms

- a. Tobacco Industry - shall refer to organization, entities, association, and individuals that work for and in behalf of the tobacco industry, such as but not limited to tobacco manufacturers, wholesale distributors, importers of tobacco products, tobacco retailers, front groups and/or organizations, including but not limited to lawyers, scientists and lobbyists who work to further the interests of the tobacco industry.
- b. Tobacco Industry Interference – refers to a broad array of tactics and strategies used by the tobacco industry to interfere with the setting and implementation of tobacco control measures.

2. Prohibitions

a. Unnecessary Interaction with the Tobacco Industry

Public officials employees shall interact with the tobacco industry only when strictly necessary for the latter's effective regulation, supervision or control. Transparency in all 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 perception, public officials and employees shall act to prevent or correct this perception.

b. Preferential Treatment to the Tobacco Industry

Public officials and employees shall serve the public interest and are prohibited from providing incentives, privileges, benefits or exemptions to the tobacco industry, except as otherwise provided by law.

c. Accepting Gifts, Donations and Sponsorship

Public officials and employees shall not solicit or accept, directly or indirectly any gifts, 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 transaction which may be affected by the functions of their office from any person or business related to the tobacco industry.

This prohibition covers the donation of funds or anything of monetary value, including, but not limited to, the conduct of refurbishing and restoration programs, construction of classrooms, school stages and other facilities, school feeding programs, provision of school supplies and

other facilities, school feeding programs, provision of school supplies and materials, installation of facilities for multi-media programs, sponsorship of medical and dental check-ups and other activities.

d. Financial Interest in the Tobacco Industry

Public officials and employees shall not directly or indirectly have any financial or material interest in any transactions involving the tobacco industry requiring the approval of their office. In relation to this, public officials and employees shall declare any interest in the tobacco industry in their annual declaration of assets and liabilities.

e. Accepting Other Favors Analogous to those mentioned above, like but not limited to the following:

Public officials and employees, regardless of status, shall avoid conflicts of interest with the tobacco industry at all times. When a conflict of interest arises, he/she shall resign from his position in the tobacco industry within thirty (30) days from his/her assumption of office and/or divest himself/herself of his shareholdings or interest within sixty (60) days from assumption.

f. Engaging in an Occupational Activity within the Tobacco Industry

Public officials and employees that have 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 one (1) year after leaving the service, and to require applicants for such public office positions to declare any current or previous occupational activity with any tobacco industry whether gainful or not.

3. Information Dissemination Program

a. Public officials and employees are required to report any form of activity of the tobacco industry which are dubbed as part of their "corporate social responsibility" such as activities employed by the industry as part of their marketing and public relations strategy that circumvents the prohibitions on tobacco advertising, promotion and sponsorship.

b. Officials and employees 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.