



Republic of the Philippines  
**DEPARTMENT OF ENERGY**  
(Kagawaran ng Enerhiya)

DEPARTMENT ORDER NO. DO 2019-07-0016 /#

**GUIDELINES IN THE ISSUANCE OF AUTHORITY TO PRACTICE PROFESSION  
FOR EMPLOYEES AND OFFICIALS OF DEPARTMENT OF ENERGY**

**WHEREAS**, under Section 2 of Republic Act (RA) No. 6713, or the "Code of Conduct and Ethical Standards for Public Officials and Employees", public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives and uphold public interest over personal interest;

**WHEREAS**, pursuant to Book V, Title 1, Subtitle A, Chapter 7, Section 46 (24) of Executive Order No. 292 otherwise known as the "Administrative Code of the Philippines", the pursuit of private business, vocation or profession without the permission required by Civil Service rules and regulations shall be a ground for disciplinary action;

**WHEREAS**, Section 12, Rule XVII of the Revised Civil Service Rules provides, among others, that no officer or employee shall engage directly in any private business, vocation, or profession or be connected with any commercial, credit, agricultural, or industrial undertaking without a written permission from the head of Department;

**WHEREAS**, Section 7(b)(2) of Republic Act No. 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, provides that "public officials and employees shall not engage in the private practice of their profession unless authorized by the constitution or law, provided that such practice will not conflict or tend to conflict with their official functions";

**NOW THEREFORE**, for and in consideration of the foregoing premises, DOE employees who intend to engage in the private practice of their profession shall comply with the following guidelines:

**SECTION 1. Request for Authority to Engage in Private Practice of Profession.** Requests for authority to engage in the private practice of profession or engage in business outside office hours shall be in writing, addressed to the Office of the Secretary, and filed with the Human Resource Management Division (HRMD) of the Administrative Services (AS).

**SECTION 2. Officials Prohibited to Privately Practice Profession.** Officials with a rank of Director, or equivalent, up to Undersecretary, or its equivalent, are prohibited to privately practice his/her profession as their duties and responsibilities require that their entire time be at the disposal of the Government and of this Department.

**SECTION 3. Conditions for Approval.** Request for authority to teach, privately exercise a profession, or engage in business, shall be approved by the Secretary, subject to the following conditions, to wit:

- 2.1. It shall be performed outside of regular working hours;
- 2.2. It shall not involve the use of government time, vehicle, supplies, funds or property;

- 2.3. It shall not involve any real or apparent conflict of interest insofar as his/her public duties are concerned;
- 2.4. It shall not impair his/her efficiency in the discharge of his/her regular functions, and absences incurred in the private practice of his/her profession, if any, shall be covered by duly approved leave of absence; and,
- 2.5. DOE officials and employees requesting for permission to engage in private practice of profession shall strictly adhere to the conditions set forth in this Department Order, RA No. 6713, Section 5, Article XIV of the CNA between DOE and DOE-EA, and such other relevant Civil Service Laws and Rules and Regulation.

**SECTION 4. Additional Conditions for DOE Officials or Employees Who are Members of the BAR.** In addition, and subject to the conditions provided for in Section 2 above, the private practice of profession of DOE officials and employees who are members of the BAR shall be limited only to the following line of legal practice, to wit:

- a. Teaching and as a Resource Person
- b. Notarial Services
- c. Handling of Cases provided that, it shall not be in representation of a client whose cause of action is against the government.

**SECTION 5. Penalty for Unauthorized Practice of Profession.** Pursuant to Section 50, Rule 10 of the 2017 Revised Rules on Administrative Cases on Civil Service, engaging in unauthorized private practice of profession shall be classified as a light offense punishable by reprimand for the first offense; suspension of one (1) to thirty (30) days for the second offense; and dismissal from the service for the third offense.

**SECTION 6. Separability Clause.** If for any reason or reasons, any part of this Department Order be declared unconstitutional or invalid, the other parts or provisions hereof not affected shall remain in full force and effect.

**SECTION 7. Repealing Clause.** All other orders or issuances inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 8. Effectivity.** This Department Order shall take effect immediately and shall remain in effect unless revoked or modified accordingly by the undersigned or other competent authority.

Fort Bonifacio, Taguig City, \_\_\_\_\_.

  
**ALFONSO G. CUSI**  
Secretary

