



MC No. 04, s. 2004

**MEMORANDUM CIRCULAR**

**TO :** ALL HEADS OF CONSTITUTIONAL BODIES;  
DEPARTMENTS, BUREAUS AND AGENCIES OF THE  
NATIONAL GOVERNMENT; LOCAL GOVERNMENT, AND  
GOVERNMENT-OWNED AND CONTROLLED  
CORPORATIONS

**SUBJECT :** Reiteration of Guidelines on Appointment of Physicians

Under Section 59 of Executive Order No. 292, physicians, among others, are exempted from the operation of the rules on nepotism:

*"Sec. 59. Nepotism. – (1) All appointments in the national, provincial, city and municipal governments or in any branch or instrumentality thereof, including government-owned or controlled corporations, made in favor of a relative of the appointing or recommending authority, or of the chief of the bureau or office, or of the persons exercising immediate supervision over him, are hereby prohibited.*

*As used in this Section, the word "relative" and members of the family referred to are those related within the third degree of consanguinity or of affinity.*

*(2) The following are exempted from the operation of the rules on nepotism: (a) persons employed in a confidential capacity, (b) teachers, (c) physicians, and (d) members of the Armed Forces of the Philippines: Provided, however, That in each particular instance full report of such appointment shall be made to the Commission."*

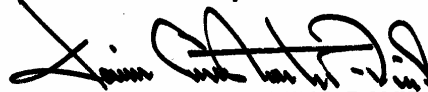
It may be noted that there is an explicit provision requiring full report to the Commission of such appointments. In addition, such appointments still must comply with the requirements of the appointment promotion process.

Hence, in CSC Resolution No. 040192 dated February 24, 2004, the Commission saw fit to reiterate the exemption of physicians from the operation of the rules on nepotism subject to the following guidelines:

- 1) The posting and publication requirements under RA 7041
- 2) The agency's Merit Selection Plan, the Qualification Standards, and the Personnel Selection Board requirements

All concerned are enjoined to conform to these requirements.

This memorandum circular takes effect immediately.



**KARINA CONSTANTINO-DAVID**  
Chairman

**March 04, 2004**  
**PTSO**

*NLA/FMA/jane/bj10:mc-nepotism-physician*



Republic of the Philippines  
**Civil Service Commission**  
Constitution Hills, Bataasang Pambansa Complex, Diliman, 1126 Quezon City

100 Years of Service;  
Civil Service of Its Best,  
*Mamamayan Muna*

**Re: Clarification on Nepotism Rule;  
Appointment of Physicians**

**RESOLUTION No. 040192**

**WHEREAS**, Section 2 (1), Article IX-B of the 1987 Constitution provides that the Civil Service embraces all branches, subdivisions, instrumentalities and agencies of the government, including government-owned or controlled corporations with original charters;

**WHEREAS**, Section 12 (3), Chapter 3, Title I (A), book V of the Administrative Code of 1987 provides that the Commission shall promulgate policies, standards and guidelines for the Civil Service and adopt plans and programs to promote economical, efficient and effective personnel administration in the government;

**WHEREAS**, Section 12 (14), Chapter 3, Title I (A), Book V of the Administrative Code of 1987 provides that the Commission shall take appropriate action on all appointments and other personnel matters in the Civil Service;

**WHEREAS**, under Section 59 of Executive Order No. 292, physicians, among others, are exempted from the operation of the rules on nepotism:

*"Sec. 59. Nepotism. - (1) All appointments in the national, provincial, city and municipal governments or in any branch or instrumentality thereof, including government-owned or controlled corporations, made in favor of a relative of the appointing or recommending authority, or of the chief of the bureau or office, or of the persons exercising immediate supervision over him, are hereby prohibited.*

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*(2) The following are exempted from the operation of the rules on nepotism: (a) persons employed in a confidential capacity, (b) teachers, (c) physicians, and (d) members of the Armed Forces of the Philippines: Provided, however, That in each particular instance full report of such appointment shall be made to the Commission."*

Certified True Copy:

*Jesus B. Wyco*  
**JESUS B. WYCO**  
Chief, Personnel Specialist  
Commission Secretariat and Liaison Office

*Am*

**WHEREAS**, in view of numerous queries on nepotism, the Commission recognizes the need to clarify and reiterate the policies governing exemptions from the rule on nepotism, specifically on whether physicians are still exempted from the prohibition if there are qualified insider applicants;

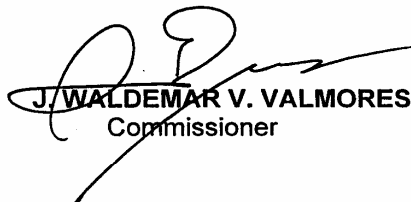
**NOW, THEREFORE**, the Commission resolves to reiterate the exemption of physicians from the operation of the rules on nepotism subject to the following guidelines:

1. A full report must be made to the Commission regarding such appointments;
2. Full compliance with the requirements of the appointment process such as the following, among others:
  - a. The posting and publication requirements under RA 7041
  - b. The agency's Merit Selection Plan, the Qualification Standards, and the Personnel Selection Board requirements.

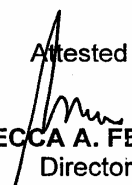
These guidelines shall take effect immediately.

Quezon City, FEB 24 2004

  
**KARINA CONSTANTINO-DAVID**  
Chairman


  
**J. WALDEMAR V. VALMORES**  
Commissioner

VACANT  
Commissioner

Attested By:  
  
**REBECCA A. FERNANDEZ**  
Director IV

NLA/FMA/jane/bj10:res-nepotism-physician

Certified True Copy:

  
**JESUS B. WYCO**  
Chief, Personnel Specialist  
Commission Secretariat and Liaison Office