# Frequently Asked Questions[1] on the Statement of Assets, Liabilities and Networth (SALN)

## BASIC INFORMATION

***What is the SALN?***

It is the statement of assets, liabilities and net worth, and the disclosure of financial connections or business interests and identification of relatives within the fourth degree of consanguinity or affinity. Further, it also requires the declarant to name his/her *bilas*, *balae* and *inso* who are in government service.

***What is the purpose of the SALN?***

To enjoin all public officers and employees to declare and submit an annual true, detailed and sworn statement of their assets, liabilities and net worth, including disclosure of business interests and financial connections, and to declare to the best of their knowledge their relatives in the government service.

***Who are required to file the SALN?***

All officials and employees of government are required to file the SALN. The government pertains to the national and local governments, including state universities and colleges, and government-owned and controlled corporations (GOCC) and their subsidiaries, with or without original charter.

***Who are exempted from filing the SALN Form?***

1) Those serving in honorary capacity - persons who are working in the government without service credit and without pay.
2) Those whose position title is laborer - persons whose work depends on mere physical power to perform ordinary manual labor, and not one engaged in services consisting mainly of work requiring mental skill or business capacity, and involving the exercise of intellectual faculties.
3) Those who are casual or temporary workers - persons hired to do work outside what is considered necessary for the usual operations of the employer's business.

***When should the SALN be filed?***

The SALN should be filed:

1) within thirty (30) days after assumption of office, statements of which must be reckoned as of his first day of service;
2) on or before April 30 of every year thereafter, statements of which must be reckoned as of the end of the preceding year; or
3) within thirty (30) days after separation from the service, statements of which must be reckoned as of his last day of office.

[1] v. March 2016

## LEGAL BASES

***What law governs the filing of the SALN Form?***

Republic Act No. 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees

***What form should be used?***

The currently prescribed form is the one revised as of January 2015 per CSC Resolution No. 1500088 promulgated on January 23, 2015.

## FEATURES OF THE SALN FORM

***What are the important features of the SALN form?***

1) The SALN form has been made 'user-friendly' so it is easy to fill up.
2) Its legal basis is RA No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) only, because it is the later law compared to RA No. 3019 (Anti-Graft Corrupt Practices Act).
3) There is a portion where spouses who are both government employees may indicate whether they are filing jointly or separately.
4) In the declaration of real properties, the form requires the exact location of the property.
5) The form clarifies that the Assessed Value and the Current Fair Market Value should be based on what is stated in the Tax Declaration of Real Property.
6) Several portions of the previous form have been removed like the amount and sources of gross income, amount of personal and family expenses and amount of income taxes paid, all of which were required to be declared under RA No. 3019 (Anti-Graft Corrupt Practices Act).
7) The declaration of nature of real properties is no longer required.
8) The subcategories (tangible, intangible) under personal properties were removed.
9) The subcategories (improvements, buildings) under acquisition cost were removed.
10) In the present form, the identification of relatives is required to be 'to the best of my knowledge'. All other declarations are required to be 'true and detailed.'

## FILLING-OUT THE SALN FORM

***In case declarant spouses are both in the government service, how should they file their SALN jointly?***

In case of joint filing, all real and personal properties shall be declared including their respective paraphernal and capital properties, if there are any. After filling out the form, the spouses may reproduce the SALN Form as the number of copies is required, but their signatures should be original in the SALN Form to be submitted to their respective agencies.

***If the declarant's spouse is not in the government service, or if the declarant is unmarried, what box should the declarant tick off in the top portion of the SALN referring to joint or separate filing of the SALN Form?***

The declarant shall tick off the box marked as "Not applicable."

***If my spouse is working in the private sector, is he/she still required to sign my SALN?***

Yes, if the spouse is not a public officer or employee, the declarant shall still cause him/her to sign the SALN.

***If the declarant was single during the preceding year and got married at the year of the filing of the SALN, what should be his/her status at the time of the filing of the SALN Form?***

Declarant would still be single since the SALN Form refers to the preceding year. Hence, his/her properties shall still be declared as his own, and not community property or the property regime agreed upon at the time of marriage.

***In the case of uniformed personnel, what should they indicate in the space requiring the position? Is it the rank or the designation?***

Uniformed personnel are appointed to rank, thus, they should indicate their rank in the blank space for position.

## DECLARATION OF REAL AND PERSONAL PROPERTIES

***What is the meaning of 'living in declarant's household'?***

Actual presence in the residence of the declarant.

***Are children who are supported by the declarant but living outside the household due to studies included in the declaration?***

No, actual presence in the residence of the declarant is what the law contemplates.

***Why do I need to declare the property of my spouse and unmarried children below (18) years of age living in my household?***

It is required by RA No. 6713.

***What is the basis of requiring the signature of spouse?***

The properties of the declarant's spouse are required by law to be disclosed, hence, he/she is required to certify the correctness of such declaration.

***If declarant and spouse are separated in fact or legally separated, is the declarant's spouse still required to sign the SALN?***

Spouses who are separated in fact or legally separated are still considered husband and wife, hence, the declarant's spouse is still required to sign the SALN Form.

***What if the said spouse refuses to sign the declarant's SALN?***

The declarant just has to attach an explanation why no signature of spouse is present in the SALN.

***What is the assessed value and current fair market value?***

For purposes of the SALN, the amounts found in the tax declaration of real properties shall be used as the basis for the declaration.

***How are mortgaged properties declared in the SALN?***

Mortgaged properties are already under the name of the declarant. Hence, the mortgaged properties shall be declared either under real or personal properties. The acquisition cost to be declared shall be the actual purchase price. However, the declarant should declare the outstanding balance of the mortgage loan as of December 31 of the preceding year under Liabilities.

***Should insurance policies be declared in the SALN?***

Yes, under personal properties. The amount to be disclosed under acquisition cost shall be the amount already paid.

***Should pensions be declared in the SALN?***

Pensions received for the year of declaration should be declared as personal property either cash on hand or cash in bank, as the case may be.

***Should shares of stock be declared in the SALN?***

Yes, shares of stock are personal properties. The acquisition cost shall be the total value of the shares of stocks as of December 31 of the preceding year.

***How are earnings and income from other sources declared?***

These shall either form part of the declarant's cash on hand or in bank which shall be determined as of December 31 of the preceding year.

***How do we declare inherited properties?***

Inherited properties are transferred to the heirs by operation of law. Hence, even without a transfer of the property under the name of the declarant, the latter shall declare his/her share in the inherited properties as his/her assets. For the acquisition cost, the declarant shall state zero (0). For real properties inherited, the declarant is required to provide the assessed value and current fair market value found in the tax declaration of the real properties concerned.

***Do we have to declare minimal valued properties?***

Yes, the law does not distinguish.

***How do we declare minimal valued properties?***

The declarant may declare minimal valued properties collectively, according to the nature/kind of the personal property like books; and the declarant may use "various years" as year acquired.

***Is it not burdensome on the part of the declarant to declare all personal properties?***

No, because properties of minimal value or with the same kind/nature may be declared in group/bulk.

***Is there a ceiling on the price of property that we declare?***

R.A. No. 6713 does not provide for a ceiling on properties to be declared.

## DECLARATION OF LIABILITIES

***How should credit card liabilities be declared?***

The outstanding balance as of December 31 of the preceding year shall be declared.

***Do we need to declare personal loans and the names of the creditors?***

Yes, it shall be declared under liabilities.

## DECLARATION OF INTEREST

***How do I distinguish between financial connection and business interest?***

Business interests refer to declarant's existing interest in any business enterprise or entity, aside from his/her income from government while financial connections refer to declarant's existing connections with any business enterprise or entity, whether as a consultant, adviser and the like, with an expectation of remuneration for services rendered.

## RELATIVES BY AFFINITY, CONSANGUINITY PLUS INSO, BALAE AND BILAS

***What is the extent of the fourth civil degree of affinity and consanguinity?***

Relatives in the first degree of consanguinity include the declarant's father, mother, son and daughter. Relatives in the first degree of affinity include the declarant's father-in-law and mother-in-law.

Relatives in the second degree of consanguinity include the declarant's brother, sister, grandmother, grandfather, grandson and granddaughter. Relatives in the second degree of affinity include the declarant's brother-in-law, sister-in-law, grandmother-in-law, grandfather-in-law, granddaughter-in-law and grandson-in-law.

Relatives in the third degree of consanguinity include the declarant's nephew, niece, uncle and aunt. Relatives in the third degree of affinity include declarant's nephew-in-law, niece-in-law, uncle-in-law, auntie-in-law.

Relatives in the fourth degree of consanguinity include the declarant's first cousin.

***Why do I need to declare* Inso, Balae *and* Bilas?**

It is required by the implementing rules of RA No. 6713, and it is included in the definition of relatives in the government under RA No. 6713.

## SIGNATURE; OATH

***Who are persons authorized to administer oath?***

For SALN purposes, the head of agency has the authority to administer oath. However, the head of agency is allowed to delegate such authority provided the delegation of authority is put into writing.

***Can a declarant take his/her oath before other persons authorized to administer oath such as notary public?***

Yes.

## ISSUES PERTAINING TO AUTHORITY OF OMBUDSMAN AND OTHER AGENCIES

***What is the extent of authority given to the Ombudsman by virtue of the authorization executed together with the SALN?***

The Ombudsman is authorized to obtain and secure from all appropriate government agencies, including the Bureau of Internal Revenue such documents that may show the declarant's assets, liabilities, net worth, business interests and financial connections.

***Can the Office of the Ombudsman look into my bank accounts in private banks by virtue of the authorization in the SALN?***

No, the authorization refers only to government agencies.

***How about government banks which may be considered as "appropriate government agencies", are they also covered by the authority given to the Ombudsman?***

No, banks, whether government or not, are covered by a special law (Secrecy of Bank Deposit Act [RA No. 1405]), hence, they are not included in the authorization.

***Can the public request for a copy of the SALN Form of a government official/employee?***

Yes, as long as they comply with the rules governing access to SALNs provided by the repository agencies.

## LIST OF REPOSITORY AGENCIES[2]

The Chief/Head of the Personnel/Administrative Division or Unit/Human Resource Management Office (HRMO) shall transmit all original copies of the SALNs received, on or before June 30 of every year, to the concerned offices, as specified below:

| REPOSITORY AGENCY[2] | OFFICERS AND EMPLOYEES |
|---|---|
| National Office of the Ombudsman | President;<br>Vice President;<br>Constitutional Officials<br>– *Chairpersons of Commission on Audit (COA), Commission on Election (COMELEC) and Civil Service Commission (CSC)*<br>– *Commissioners of COA, COMELEC and CSC*<br>– *Ombudsman and his Deputies* |
| Secretary of the Senate | Senators |
| Secretary of the House of Representatives | Representatives (Congressmen/Congresswomen) |
| Clerk of Court of the Supreme Court | Justices of the Supreme Court, Court of Appeals, Sandiganbayan, and Court of Tax Appeals |

[2] Updated per CSC Resolution No. 1500088 promulgated on January 23, 2015

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|---|---|
| Court Administrator | Judges of the Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court, Municipal Circuit Trial Court, and Shari'a District Courts |
| Office of the President | National executive officials, including, but not limited to the following:<br>– *Members of the Cabinet*<br>– *Undersecretaries*<br>– *Assistant Secretaries*<br>– *Officials in the Foreign Service*<br>– *Heads of government owned or controlled corporations with original charters and their subsidiaries*<br>– *Heads of state colleges and universities*<br>Officers of the Armed Forces of the Philippines from the rank of Colonel or Naval Captain:<br>– *Colonel, Brigadier General, Major General, Lieutenant General and General (Army and Air Force)*<br>– *Captain, Commodore, Rear Admiral, Vice Admiral and Admiral (Navy)*<br>Officers of the Philippine National Police from the rank of Senior Superintendent:<br>– *Chief Superintendent, Director, Deputy Director General and Director General*<br>Officers of the Philippine Coast Guard from the rank of Commodore:<br>– *Commodore, Rear Admiral, Vice Admiral and Admiral* |
| Deputy Ombudsman in their respective region (Luzon, Visayas or Mindanao) | Regional officials and employees of the following offices:<br>– *Departments, bureaus and agencies of the National Government*<br>– *Judiciary and Constitutional Commissions and offices*<br>– *Government owned and/or controlled corporations with and without original charter, and their subsidiaries in the regions*<br>– *State colleges and universities*<br>Provincial elective officials and employees including Governors, Vice-Governors and Sangguniang Panlalawigan Members;<br>City and municipal elective officials and employees including Mayors, Vice-Mayors, Sangguniang Bayan/ Panlungsod Members and Barangay Officials;<br>Officers of the Armed Forces of the Philippines (AFP) below the rank of colonel or naval captain:<br>– *Lieutenant Colonel, Major, Captain, 1st Lieutenant and 2nd Lieutenant (Army and Air Force)*<br>– *Commander, Lieutenant Commander, Lieutenant Senior Grade, Lieutenant Junior Grade and Ensign (Navy)* |

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| | – *Other enlisted officers*<br>Officers of the Philippine National Police (PNP) below the rank of Senior Superintendent:<br>– *Superintendent, Chief Inspector, Senior Inspector and Inspector*<br>– *Other police officers*<br>Officers of the Philippine Coast Guard (PCG) below the rank of Commodore:<br>– *Captain, Commander, Lieutenant Commander, Lieutenant, Lieutenant Junior Grade and Ensign* |
| Civil Service Commission | All other officials and employees in the central/main/national offices of the following:<br>– *Departments, bureaus and agencies of the National Government*<br>– *Judiciary and Constitutional Commissions and offices*<br>– *Government owned and/or controlled corporations with and without original charters, and their subsidiaries in the regions*<br>All other appointive officials and employees of the Legislature;<br>All civilian personnel of the AFP;<br>All other central officers (uniformed personnel) below the rank of Senior Superintendent as well as all non-uniformed personnel of the PNP;<br>All other central officers below the rank of Commodore as well as all civilian personnel of the PCG |