



NATIONAL ELECTRIFICATION ADMINISTRATION

"The 1st Performance Governance System-Institutionalized National Government Agency"
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INSTITUTIONAL ADVISORY NO. 52

TO : ALL ELECTRIC COOPERATIVES

SUBJECT : DEFINITION OF "DEROGATORY RECORD" IN THE SELECTION AND HIRING PROCESS OF EC GENERAL MANAGER

Item III, No. 2, g. of NEA Memorandum No. 2017-035, "Revised Policy on the Selection, Hiring, Termination of Service/Suspension for General Managers of Electric Cooperatives (3rd Revision) states that:

g. After the background investigation (BI), applicants with no derogatory records will be called for final interview before the NEA Board of Administrators.

To provide an exact definition, **derogatory record shall mean conviction of a crime involving "moral turpitude" punishable under the Revised Penal Code of the Philippines, special laws and other analogous cases.**

Moral turpitude has been defined as everything which is done contrary to justice, modesty, or good morals; an act of baseness, vileness or depravity in the private and social duties which a man owes his fellowmen, or to society in general.¹

However, the term **derogatory record shall also mean to include a mere apprehension of electric pilferage by the Electric Cooperative, even without conviction for such offense by a court and shall constitute a valid ground for disqualification.** The word "apprehension" should be taken in the strict context as used in Republic Act No. 7832, otherwise known as the "Anti-Electricity and Electric Transmission Lines or Materials Pilferage Act of 1994."²

For your guidance.


ANTONIO MARIANO C. ALMEDA
Administrator

NATIONAL ELECTRIFICATION
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¹ *Teves v. Commission on Elections*, G.R. No. 180363, 28 April 2009, 604 Phil. 717-752, citing *Soriano v. Dizon*, A.C. No. 6792, 25 January 2006, 480 SCRA 1, 9.

² Implementing Rules and Regulations (IRR) of R.A. No. 7832, "Apprehension shall be understood to mean the discovery of the presence of any circumstances enumerated in Section 4 of R.A. No. 7832 in the establishment or outfit of the consumer concerned as personally witnessed and attested to by the consumer or as duly authorized ERB representative or any officer of the law, as the case may be.