

[NEA NO GIFT POLICY, January 29, 2015]

NO GIFT POLICY

Adopted: 29 January 2015

Date Filed: 18 March 2015

I. RATIONALE

In consonance with the Civil Service Commission's (CSC) policy and Republic Act No. 6713 - Code of Conduct and Ethical Standards for Public Officials and Employees and in compliance with Section 29 of the Code of Corporate Governance for GOCCs (GCG Memorandum Circular No. 2012-07, s. 2012) which mandates that: "xxx Every Governing Board shall formally adopt a ' No Gift Policy' within the GOCC and ensure its full advertisement to the community and its strict implementation by particular set of rules", as well as NEA's effort to sustain its corporate values on honesty, efficiency and solidarity, anchored on accountability, transparency and good governance, the following guidelines on the No Gift Policy in the Corporation is hereby reiterated:

II. LEGAL FRAMEWORK

This No Gift Policy is issued pursuant to the following:

1. Section 27, Article II of the 1987 Constitution states that "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption."
2. Section 1, Article XI of the 1987 Constitution states that "Public office is a public trust and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and lead modest lives."
3. Section 1 of the Anti-Graft and Corrupt Practices Act, Republic Act No. 3019 which provides that: "It is the policy of the Philippine Government, in line with the principle that a public office is a public trust, to repress certain acts of public officers and private persons alike which constitute graft or corrupt practices or which may lead thereto."
4. Section 7 of the Code of Ethical Standards for Public Officials and Employees, Republic Act No, 6713, provides that "It is the policy of the State to promote a high standard of ethics in public service."
5. Section 29, Code of Corporate Governance for Government Owned and Controlled Corporations which states that "Every Governing Board shall formally adopt a No Gift Policy within the GOCC and ensure its full advertisement to the community and its strict implementation by particular set of rules."

III. POLICY STATEMENT/GENERAL GUIDELINES

No official or employee shall solicit or accept, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his/her official duties or in connection with any operation being regulated by, or any transaction that may affect the functions of his/her office.

IV. OBJECTIVES

This policy is issued in order to:

- (1) Enable the officials and employees to practice and demonstrate equal treatment, unbiased professionalism, and non-discriminatory actions in the performance of their duties and functions, without expectation of any undue favor or reward;
- (2) Promote and reinforce integrity of the officers and employees in the diligent performance of their duties as public servants;
- (3) Ensure the provision of consistent high quality service and non-preferential treatment to all members and employees, primary clients and stakeholders;
- (4) Sustain transparency in transactions, as defined in its Code of Ethics; and
- (5) Clearly define the guidelines on receiving of gifts in the workplace.

V. COVERAGE

This policy shall apply to the Board of Administrators, Management, regular and project-based employees.

VI. DEFINITION OF TERMS

1. *Gift* – refers to a thing or a right disposed of gratuitously, or any act of liberality, in favor of another who accepts it. It shall include, but not limited to, any gratuity, favor, service, discount or price concession, fee, compensation, cash, securities, entertainment, or use of anything of monetary value. It does not include an unsolicited gift of nominal or insignificant value given freely without any form of anticipation of, or exchange for, a favor from a public official or employee.
2. *Gift Registry* – a record of gifts received by NEA officials and employees.

VII. RESPONSIBILITY

It shall be the responsibility of the Board of Administrators, Management and employees to read, understand and abide by the standards and procedures on the No Gift Policy.

The Management shall ensure that all officials and employees follow the policies and procedures on No Gift Policy.

VIII. PROHIBITIONS