

[**GSIS RESOLUTION NO. 98, July 17, 2014**]

APPROVAL OF THE AMENDED GSIS "NO GIFT POLICY"

*Adopted: 17 July 2014
Date Filed: 27 August 2014*

WHEREAS, Section 29 of Governance Commission for GOCCs (GCG) Memorandum Circular No. 2012-07 (Code of Corporate Governance for GOCCs) mandates all Governing Boards of GOCCs to adopt a "No Gift Policy" and to ensure its strict implementation within the organization;

WHEREAS, the GCG, in its letter dated 15 March 2014, provisionally accepted, with mandated revisions and additions, Policy and Procedural Guidelines (PPG) No. 247-13, the GSIS "No Gift" Policy, approved by the Board under Resolution No. 118 dated 24 October 2013.

RESOLVED, to **APPROVE** and CONFIRM the PPG on the Amended GSIS "No Gift Policy" as proposed by the Senior Vice President, Corporate Services Group and Corporate Planning Office, in her Memorandum dated 15 July 2014;

RESOLVED FURTHER, to **APPROVE** the submission of the PPG on the Amended GSIS "No Gift Policy" to the GCG as part of the GSIS' commitment to the principles of good corporate governance;

RESOLVED FINALLY, that Board Resolution No. 118 dated 24 October 2013 and PPG No. 247-13 are hereby **SUPERSEDED**.

CERTIFIED CORRECT:

ATTY. MARIA THERESA ABESAMIS-RAAGAS
Corporate Secretary

REFERRED TO AND APPROVED AND CONFIRMED
BY REFERENDUM ON 17 JULY 2014

(SGD) DANIEL L. LACSON, JR.
Chairman

ROBERT G. VERGARA (*On Leave*)
Vice Chairman

(SGD) KARINA CONSTANTINO-DAVID
Trustee

(SGD) GREGORIO T. YU
Trustee

(SGD) ROMAN FELIPE S. REYES
Trustee

(SGD) GERALDINE MARIE
BERBERABE-MARTINEZ
Trustee

(SGD) MARIO J. AGUJA
Trustee

(SGD) ROMEO M. ALIP
Trustee

(SGD) ELISEA G. GOZUN
Trustee

FRANCISO T. DUQUE III (*On Leave*)
Trustee

Attachment:

Policy and Procedural Guidelines No. 257-14

Amended GSIS "No Gift" Policy

I. BACKGROUND/RATIONALE

The Government Service Insurance System (GSIS) adopted Policy and Procedural Guidelines (PPG) No. 247-13 (GSIS "No Gift" Policy) on 24 October 2013 pursuant to Section 29 of Governance Commission for Government Owned or Controlled Corporation (GCG) Memorandum Circular No. 2012-07 (*Code of Corporate Governance for Government Owned or Controlled Corporations*) and Section 3 of GCG Memorandum Circular No. 2013-05 (*Interim 2013 Performance-Based Bonus for Officers and Employees*).

The GSIS "No Gift" Policy was submitted to the GCG 09 December 2013 and was formally evaluated thereafter. The GCG's provisional acceptance and formal evaluation of the said policy was contained in a letter dated 15 March 2014 and was duly received by the GSIS on 19 March 2014.

There is thus a need to amend the GSIS "No Gift" Policy to fully comply with the requirements laid down by GCG MC 2012-07 and GCG MC 2013-05.

II. DEFINITION OF TERMS

The following terms shall be defined as:

- A. *Gift* - a thing, or a right to dispose of gratuitously, or any act of liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.^[1]
- B. *Benefit* - a right, privilege, entertainment, advantage, exemption or any other similar act of liberality in favor of another.
- C. *Receiving any gift* - includes the act of accepting directly or indirectly a gift from a person other than a member of the public officer's immediate family, in behalf of himself or herself or of any member, of his or her family, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is, under the circumstances, manifestly excessive.^[2]
- D. *Gift Register* - a record of gifts received by GSIS officials and employees.