

**[PNP MEMORANDUM CIRCULAR NO. 2008-004,
May 14, 2008]**

**POLICY IN ACCEPTING/RECEIVING AND GIVING OF GIFTS AND
MEMENTOS**

1. REFERENCES;

- a. R.A. 6713, as amended (Code of Conduct and Ethical Standards for Public Officials and Employees);
- b. R.A 3019, as amended (Anti-Graft and Corrupt Practices Act);
- c. PNP Integrity Development Review (IDR) Action Plan; and
- d. Ombudsman Rules on Gifts and Benefits series of 2005.

2. PURPOSE:

This Circular prescribes the policies and guidelines in the giving and acceptance of gifts and mementos by PNP units/personnel during PNP activities and ceremonies

3. SCOPE:

3.1 This Circular shall apply to all personnel of the Philippine National Police.

3.2 The following shall constitute as within the purview of receiving and giving of "gifts and benefits" as contemplated under this Circular:

- a. Gifts and/or benefits received by the PNP as an institution from other offices or organization, including grants and donations to enhance its effectiveness;
- b. Cash or material rewards or prizes given by the PNP to its personnel during Anniversary and Christmas celebrations,
- c. Gifts exchanged on occasions of Christmas celebrations among PNP members/units.
- d. Performance-based rewards such as cash, scholarship grants, and similar benefits granted to PNP personnel by appropriate government agencies, private institutions, or national or international organizations

4 DEFINITION OF TERMS:

- a. *Gift* refers to a thing or a right disposed 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

b. *Memento and Souvenir*- unsolicited gifts of nominal value given as a gesture of diplomacy and courtesy and not in anticipation of, or in exchange for, a favor from members of the Philippine National Police.

c. *Receiving Gifts* - the act of accepting directly or indirectly a gift from a person other than member of his family or relatives, even on the occasion of celebration.

d. *Benefit* - refers to a right, privilege, entertainment, exemption or any other similar act of liberality in favor of another.

5. POLICIES

5.1 On Accepting/Receiving Gifts by PNP Members

a. Members of the PNP shall not, directly or indirectly, accept or receive any gift or benefit from any party which may influence their official actions or which might reasonably be perceived as influencing past, present or future performance of their official functions.

b. In the course of the performance of their official functions, PNP personnel shall not accept any fee or remuneration beyond what they are legally entitled to receive in their official capacity in accordance with law.

c. PNP personnel may accept/receive plaques, certificates, souvenirs or other tokens of appreciation or gratitude as appropriate to the occasion of official visits/ceremonies in which it is made, provided that such plaques, awards or certificates, and/or benefits will not influence their official action or will not reasonably be perceived as intended to influence the PNP personnel in the performance of their official functions.

d. Members of the PNP who receive memento/souvenirs from visitors shall inform the Administrative Officers of PNP Units.

e. A registry of mementos and souvenirs shall be maintained by all Administrative Officers of PNP Units.

f. The Admin Officer shall record the mementos/souvenirs in the registry identifying the following information:

- 1) Name and office of the giver;
- 2) Date of receipt;
- 3) Name of the recipient;
- 4) Nature of the occasion/visit; and
- 5) Description of the memento/souvenir

g. The following souvenirs/mementos may be accepted by members of the PNP:

- 1) given as token during official visits;
- 2) minimal in value (low-cost promotional objects, simple means);
- 3) within the normal standards of courtesy, hospitality or protocol; and