

Philippine Charity Sweepstakes Office

NO GIFT POLICY

(June, 2014 Revision)





“NO GIFT POLICY”

"NO GIFT POLICY"

In the interest of the service, and to uphold efficiency and integrity in the Philippine Charity Sweepstakes Office, the following policy and guidelines relating to the "no gift policy" shall be implemented:

I. Scope

The PCSO "No Gift Policy" shall apply to all levels of officials and employees of the Philippine Charity Sweepstakes Office, regardless of employment status.

II. Objective

The PCSO "No Gift Policy" took effect on November 2013 through Board Resolution No. 303, Series of 2013. The purpose of the guidelines is to provide PCSO officials and employees a policy in handling matters of gift acceptance. It is intended to ensure the agency can respond quickly and appropriately to all gift offers.

III. Legal Framework

The No Gift Policy guidelines are anchored on the following statutory policies, rules and legal provisions against acceptance of gifts by public officers and employees:

Section 3 of Republic Act No. 3109 otherwise known as the **Anti-Graft and Corrupt Practices Act** provides that, among other acts or omissions, the following shall constitute corrupt practices of any public officer and thereby declared to be unlawful:

(b) *"Directly or indirectly requesting or receiving any gift, present, share, percentage, or benefit, for himself or for any other person, in connection with any contract or transaction between the Government and any other party, wherein the public officer in his official capacity has to intervene under the law";*

(c) *"Directly or indirectly requesting or receiving any gift, present or other pecuniary or material benefit, for himself or for another, from any person for whom the public officer, in any manner or capacity, has secured or obtained, or will secure or obtain, any Government permit or license, in consideration for help given or to be given..."*

Section 29 of the Code of Corporate Governance for Government Owned and Controlled Corporations (GCG Memorandum Circular No. 2012-07) mandates 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."

Section 7(d) of Republic Act No. 6713, Code of Conduct and Ethical Standards for Public Officials and Employees, provides that:

"Solicitation or acceptance of gifts. Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office."

IV. Definition of Terms

The following terms shall be defined as:

Gift. A thing or a right to dispose of gratuitously, or any act or 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 (Sec. 3, RA 6713).

Receiving any gift. Includes the act of accepting directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Act, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift is given in anticipation of, or in exchange for, a favor. (Sec. 3, RA 6713).

Gift Register. A register of official gifts received by PCSO officials and employees. The register provides information on the date of delivery/receipt, name of recipient, identity of gift giver, description of gift, estimated or actual value and action taken/recommendation concerning future use of gift.

V. The PCSO No Gift Policy

Prohibition

PCSO officials and employees shall not, directly or indirectly, solicit, accept or receive any gift and/or benefit for themselves or for others from the following:

- Lotto Prize Claimants
- Lotto Agents and Operators
- Lotto Agent Applicants
- Sales Agents
- Partner Agencies
- System Providers
- Patients and/or individual beneficiaries
- Program proponents and beneficiaries
- Partner institutions and hospitals
- Media Partners
- Media Proponents
- Suppliers, contractors and their agents (office equipment, lotto supplies, furniture)
- Other parties transacting business with the PCSO

The prohibition shall include, but not be limited to the following:

Requesting or receiving any gift in connection with any transaction on procurement or those that need the approval of PCSO officials;

Requesting or receiving gifts from stakeholders;

Requesting or receiving gifts from any person in consideration for the charity assistance provided or to be provided;

Accepting sponsorships in any of the internal programs, activities, and affairs of the PCSO, such as Christmas parties, anniversary celebration, birthdays, etc.

Soliciting advertisements in the publication of the PCSO;

Receiving discounts, rebates, waivers and other forms of monetary incentives or benefits from persons or entities transacting business with PCSO.

Accepting invitations to social lunches and dinners with persons or entities transacting business with PCSO.

Exception

Acceptance of gifts is permissible in the following circumstances:

Scholarship or fellowship grants, travel grants, trainings and similar incentives granted to PCSO officials and employees by other government agencies, private institutions, or national or international organizations provided that such acceptance is consistent and appropriate with the interests of the government and/or the agency;

Certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy from individuals and other institutions or agencies during special occasion or ceremonies;

Seminar kit and partaking of moderately priced meals and beverages that officers and employees obtain at events, such as conferences, forums, trainings and seminars, and which are offered equally to all members of the public attending the event;

Books, pamphlets, publications and data and other information or reading materials that are directly useful to the agency in the performance of its mandates, objectives and, which books and other materials are given by individuals or organizations that have no pending business with the PCSO as to create an actual or potential conflict of interest;

Gifts or cash awards given by the PCSO to its officials and employees during Anniversary, Christmas

celebrations, and other related official or milestone events and those covered by appropriate Collective Negotiations Agreement (CNA);

Gifts that may be exchanged between and among PCSO officials and employees provided they are given not in anticipation of, or exchange for a favor during special occasions such as Christmas or birthday celebration and do not exceed P2,000.00;

Responsibilities

The heads of offices/department managers and their respective technical assistants shall be responsible for maintaining a Gift Register and submitting an annual report on gifts received by PCSO officials and employees under their Office/Department to their respective sectoral heads.

The technical assistants of the Offices of the Assistant General Managers shall prepare a consolidated report to be submitted to the Office of the Board of Directors through the Office of the General Manager. The consolidated report shall include instances of possible conflict or interest, if any; propriety of the action taken on the gifts received, and the value of all gifts aggregating more than P2,000.00 from a single source during the year.

The Corporate Planning Department shall post notices informing all officials, employees, organizations, clients and visitors of the Policy.

VI. Transparency

The PCSO is committed to principles of accountability and transparency. Information regarding gifts to officials and employees is public information. For purposes of monitoring gift given to and received by PCSO officials and employees, a gift register shall be maintained in the following offices:

- Office of the Board of Directors
- Office of the Chairman
- Office of the General Manager
- Offices of the Assistant General Managers
- Offices of the Department Managers
- Branch Offices

The PCSO official or employee who receives a gift in the workplace from individuals or entities shall declare the gift in the Gift Register by providing the following information in the Gift Register Form:

- Date of declaration
- Description of gift
- Estimated or actual value
- Date of delivery/receipt
- Name, position and office of giver,
- Name and signature of recipient
- Action taken/recommendation concerning future use of gift.

A copy of the appropriate format for a declaration is attached at Annex A.

For tangible gifts which are considered perishable such as food and flowers, the items may be given to an appropriate charity or be placed in the reception area or other common area where it may be shared by constituents and other visitors to the office.

For non-perishable items, the gift/s should be immediately and politely declined.

VII. Penalty

Any violation of the No-Gift Policy Guidelines shall be referred to the Legal Department for investigation and disciplinary action in accordance with Section 11 of RA 6713, Section 9 of RA 3019, the specific provisions of the Revised Rules on Administrative Cases in the Civil Service (RRACCS) and other pertinent laws, rules and regulations.

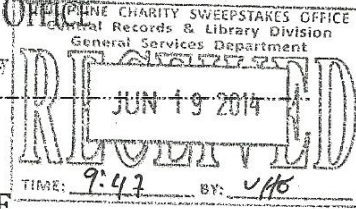
For strict implementation.

ATTY. JOSE FERDINAND M. ROJAS II
Acting Chairperson/General Manager

REPUBLIC OF THE PHILIPPINES
Office of the President

PHILIPPINE CHARITY SWEEPSTAKES OFFICE

Sun Plaza Building, 1507 Shaw Boulevard, Mandaluyong City



SECRETARY'S CERTIFICATE

I, **RAMON RODRIGO**, of legal age, Filipino, married and with business and postal address at the Philippine Charity Sweepstakes Office, 4th Floor, Sun Plaza Building, Shaw Blvd., corner Princeton Street, Mandaluyong City after being duly sworn according to law, hereby certify:

1. That I am the Board Secretary of the Philippine Charity Sweepstakes Office (hereinafter referred to as "PCSO"), an agency of the national government engaged in the operation of sweepstakes and lotto;
2. That as such, I have custody of all records pertaining to the Board of Directors of the PCSO including all Board Resolutions;
3. Per the records of the Office of the Corporate Secretary of the PCSO, the Board of Directors thereof, during its **21st Regular Board Meeting held on June 18, 2014** held at 4th Floor, Sun Plaza Building, Shaw Blvd., corner Princeton St., Mandaluyong City passed the following Resolution:

RESOLUTION NO. 221 Series 2014

"**WHEREAS**, per Resolution No. 303 series 2013, the Board approved the No Gift Policy pursuant to the requirement of the Governance Commission for GOCCs (GCG) under Section 39, GCG Memorandum Circular No. 2012-07 (Code of Corporate Governance for GOCCs) and Section 3, GCG Memorandum Circular No. 2013-05 (Interim 2013 Performance-Based Bonus for Officers and Employees);

"**WHEREAS**, the GCG provisionally accepted the submitted Manual on Corporate Governance with the condition that the No Gift Policy must be revised to adopt a particular set of rules which is applicable to the corporate situation of the Agency;

"**WHEREAS**, the Assistant General Manager for the Management Services Sector recommended the revised No Gift Policy incorporating the revisions and additions mandated by the GCG;

"**WHEREFORE**, per recommendation of the Management Services Sector, the Board **RESOLVED AS IT HEREBY RESOLVES** to approve the revised No Gift Policy, hereto attached as Annex "A", in compliance with the requirement mandated by the Governance Commission for GOCCs (GCG) for the grant of 2013 Performance-Based Bonus, subject to compliance with applicable laws, rules and regulations.

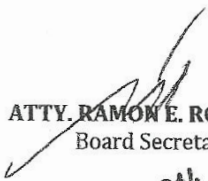
"**RESOLVED FINALLY**, that any Resolutions, memoranda and issuances inconsistent herewith shall be considered revoked and rendered ineffective."

4. Per the records of the Office of the Board Secretary, the foregoing Board Resolution has not been replaced, amended or repealed.

Certified True / Xerox Copy
OFFICE OF THE BOARD SECRETARY
[Signature]
4-19-14
DATE

5. This Secretary's Certificate is issued for whatever legal purpose it may serve.


IN WITNESS WHEREOF, I have affixed my signature on this JUN 18 2014 day of June 2014, at Pasay City.


ATTY. RAMON E. RODRIGO
Board Secretary


SUBSCRIBED AND SWORN to before me on this JUN 18 2014 day of June 2014, affiant exhibiting to me his SSS No. 03-27523102-4.

NOTARY PUBLIC

Doc. No. 392
Page No. 80
Book No. VII
Series of 2014


ROSALYN D. CAMPANANO-CORTES
NOTARY PUBLIC
VALID UNTIL DECEMBER 31, 2014
IBP OR No. 913632 PASIG CITY 01-02-2013
PTR OR No. 3203770 PASAY CITY 01-03-2013
MCLE No. IV-081112

Certified True / Xerox Copy
OFFICE OF THE BOARD SECRETARY


6-19-14
DATE

REPUBLIC OF THE PHILIPPINES
Office of the President

PHILIPPINE CHARITY  SWEEPSTAKES OFFICE

PICC Secretariat Bldg., CCP Complex, Pasay City

**RESOLUTION NO. 303
Series 2013**

“**WHEREAS**, under Section 29 of the Governance Commisison for GOCCs (GCG) Memorandum Circular No. 2012-12, the GCG required all of its officers and employees to adopt a “No Gift Policy” by practicing, demonstrating equal treatment, unbiased professionalism and non-discriminatory actions in the performance of their duties and functions;

“**WHEREAS**, the Assistant General Manager for the Management Services Sector recommended the adoption of the “No Gift Policy” under Republic Act 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, and its Implementing Rules and Regulations (IRR);

“**WHEREFORE**, per recommendation of the Management Services Sector, the Board **RESOLVED AS IT HEREBY RESOLVES** to adopt the No Gift Policy under Republic Act 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, and its Implementing Rules and Regulations (IRR) hereto attached as Annex “A” in compliance with the GCG Memorandum Circular No. 2012-07, subject to compliance with applicable laws, rules and regulations.

Approved at the regular meeting of the Board of Directors of PCSO on 14 November 2013, at the Philippine Charity Sweepstakes Office Board Room, Philippine International Convention Center, CCP Complex, Pasay City, Philippines.

APPROVED BY:


HON. MARGARITA P. JUICO
Chairman


HON. JOSE FERDINAND M. ROJAS II
Vice-Chairman and General Manager

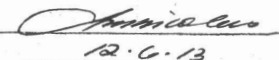
Absent
HON. MABEL V. MAMBA
Director


HON. FRANCISCO JOAQUIN III
Director


HON. MA. ALETA L. TOLENTINO
Director


HON. BETTY B. NANTES
Director

Certified True / Xerox Copy
OFFICE OF THE BOARD SECRETARY


12.6.13

Republic of the Philippines
Office of the President

PHILIPPINE CHARITY  SWEEPSTAKES OFFICE

Sun Plaza Bldg./Conservatory Bldg., Shaw Blvd., Mandaluyong City

PCSO GIFT REGISTER

Office / Department: _____

Date of Declaration	Description of Gift	Estimated or Actual Value	Date of Delivery/ Receipt	Name, Position and Office of Giver	Name and Signature of Recipient	Action Taken/ Recommendation concerning Future Use of Gift

Prepared by: _____
Technical Assistant

Noted by: _____
Head of Office / Department Manager