



PASEGURUHAN NG MGA NAGLILINGKOD SA PAMAHALAAN
(GOVERNMENT SERVICE INSURANCE SYSTEM)
Financial Center, Pasay City, Metro Manila 1308

POLICY AND PROCEDURAL GUIDELINES NO. 257-14

FUNCTIONAL AREA : Corporate Services
DISTRIBUTION : All Senior Vice Presidents
All Vice Presidents
All Managers
SUBJECT : **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.
- E. *Compliance Officer* - the executive designated by the BOT to ensure compliance by GSIS with the provisions of RA 10149 (The GOCC Governance Act of 2011), the various issuances by the GCG, including this PPG.

III. OBJECTIVE

To provide GSIS officials and employees with guidelines in the handling of gifts received from individuals and entities in the workplace.

IV. COVERAGE

This policy shall apply to all GSIS officials and employees regardless of status of appointment.

V. POLICIES

A. Prohibited Acts

GSIS officials and employees are prohibited from the following acts that may lead to personal gain and/or conflict of interest:

¹ Section 3 (c) of R.A. 6713.

² Section 2 (c) of R.A. 3019.



1. Directly or indirectly soliciting gifts, favors or benefits from stakeholders; and
2. Directly or indirectly soliciting, accepting or receiving any gift, favor or benefit from any party which may influence the performance of their official functions or which may be perceived as influencing their past, present and future official functions.

B. Exceptions

1. GSIS officials and employees may receive token gifts, plaques, awards, certificates, souvenir items, and other tokens of courtesy, appreciation or gratitude from individuals and other institutions or agencies provided that:
 - a. the token gifts, plaques, awards, certificates, souvenir items, other tokens of courtesy, appreciation or gratitude are deemed appropriate to the occasion or ceremonies for which they are given or made; and
 - b. the giving and receiving shall not influence the GSIS officials and employees' performance of official functions.
2. The following gifts and benefits are likewise not covered by the policy:
 - a. Gifts and benefits including grants and donations received by the GSIS as an institution from other offices or organizations;
 - b. Scholarships, travels and similar benefits granted to GSIS officials and employees by other government agencies, private institutions or by local or international organizations provided that such acceptance is consistent and appropriate with the interests of the government and/or the System and availment of such is subject to the approval of the Chairman of the Board of Trustees;
 - c. Trainings and travels provided to GSIS officials and employees in relation to the effective use of an equipment or a system supplied by a contractor or supplier as part of its contract with GSIS and availment of such is subject to the approval of the Chairman of the Board of Trustees; and
 - d. Gifts or cash awards given by the GSIS to its officials and employees during Christmas and anniversary celebrations.

C. Gift Register

1. To further ensure transparency in the way GSIS officials and employees deal with their stakeholders, a Gift Register (Annex "A") shall be maintained in the following GSIS Offices/Units: BOT, Office of the President and General Manager (OPGM), Office of the Corporate Secretary (OCS), Office of the Senior Vice President (OSVP), Office of the Vice President (OVP), Office of



the Department Manager, Branch Office (BO), for the purpose of monitoring and recording gifts given to and received by GSIS officials and employees.

2. A GSIS official or employee who receives a gift, favor or benefit in the workplace, regardless of value, from individuals or entities shall cause the registration of said gift in the Gift Register and sign the appropriate receipt portion thereof.
3. The Gift Register shall likewise require the following information:
 - a. Date of delivery or receipt of gift, grant of favor or benefit;
 - b. Description of the gift, favor or benefit received;
 - c. Estimated value of gift;
 - d. Name of recipient;
 - e. Name, position or office of giver of gift; and
 - f. Action taken on the gift, e.g., Consumed, Donated, Returned or Endorsed to.

D. Responsibilities

1. The heads of Offices/Units, through their respective Technical Assistant (TA) or their equivalent, shall be responsible for maintaining a Gift Register, and submitting an annual report on gifts, favors or benefits received by GSIS officials and employees under their Office to the Compliance Officer.

The reports of the units shall be consolidated by the Office concerned (i.e., reports of departments or Branch Offices shall be consolidated by the OVP or OSVP, as applicable).

2. The Compliance Officer shall submit a report of gifts, favors or benefits given to GSIS officials and employees to the BOT. The report shall include the following:
 - a. instances of possible conflict of interest, if any; and
 - b. propriety of the action taken on the gifts.
3. The Corporate Communications Office (CCO) shall prepare information materials to disseminate the Amended GSIS "No Gift" Policy to all stakeholders, and cause the posting of this PPG in conspicuous areas within the premises of the GSIS Offices.
4. GSIS officials and employees are enjoined to inform its stakeholders or any party, with actual or potential business with the System, of the provisions of the Amended GSIS "No Gift" Policy with an appeal that the said policy be respected.



E. Violations and Penalties

Any violation of this PPG shall be referred to the Prosecution and Quasi-Judicial Cases Department (PQJCD) of the Legal Services Group (LSG) for investigation and disciplinary action in accordance with the specific provisions of RA 6713, RA 3019, the Revised Rules on Administrative Cases in the Civil Service (RRACCS) and other pertinent laws, rules and regulations.

This PPG shall take effect immediately.

ORIGINAL SIGNED
NORA M. SALUDARES
Officer-In-Charge
Office of the President and General Manager

Date Signed: 17 JULY 2014

