

# MASAGANANG SAKAHAN INC.

## NO GIFT POLICY

(As Amended)

To show Masaganang Sakahan, Inc. (MSI) commitment to the highest standard of ethics and conduct of public officers and to dealing impartially with all individual and/or organizations (public and private), to whom we come into contact or conduct business with MSI, its members of the Board of Directors, Corporate Officers and Rank and File Employees are directed to observe and comply with GCG Memorandum Circular No. 2012-12, series of 2012 on “NO GIFT POLICY” of the Governance Commission for GOCC’s, as well as comply with the specific provisions of Republic Act No. 6713 (An Act Establishing *a Code of Conduct and Ethical Standards for Public Officials and Employees, to Uphold the Time-Honored Principle of Public Office Being a Public Trust, Granting Incentives and Rewards for Exemplary Service, Enumerating Prohibited Acts and Transactions and Providing Penalties for Violations Thereof and for Other Purposes*) and RA No. 3019 (*Anti-Graft and Corrupt Practices Act*).

### I. NO GIFT POLICY

MSI, its members of the Board of Directors, Corporate Officers and Rank and File Employees, shall NOT SOLICIT OR ACCEPT, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or use, anything of monetary value from a person, groups, associations, or juridical entities, whether from the public or private sectors, at any time, on or off work premises, 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.

### II. PROHIBITIONS, but not limited to:

- Soliciting or accepting, directly or indirectly, any gift, gratuity, favor, and entertainment, anything of monetary value in the course of performance of official duties or in connection with any operation being regulated by or any transaction which may be affected by the functions of his/her office.

- Advertisement in the publication of MSI.
- Discounts, rebates, waivers and other forms of monetary incentives or benefits given to MSI, its members of the Board of Directors, Corporate Officers and Rank and File Employees, in availing of the services and/or facilities of persons or entities under the jurisdiction of the MSI.
- Any offer of gift or entertainment which might be seen as excessive, or put the recipient under an obligation, or influence a procurement decision, or be in doubtful taste or be liable to bring the name of MSI into dispute should be declined or returned to the giver. "Excessive" would include offers of gift or entertainment that are over-frequent; or part of a pattern of invitations that, taken together, appears inappropriate; or disproportionately lavish considering the relationship between or the position of the giver and the recipient.

### **III. NO GIFT POLICY EXCEPTIONS**

- Unsolicited gifts or presents of small/nominal or insignificant value offered or given as a mere ordinary token of gratitude or friendship according to local customs or usage, not given in anticipation of, or in exchange for, a favor from MSI or given after the transaction is completed, or service is rendered.
- A gift from a member of the family, relative or friends on the occasion of a family celebration, and without any expectation of pecuniary gain or benefit;
- Nominal gifts or grants from persons with no regular, pending, or expected transactions with the department or unit with which MSI, its members of the Board of Directors, Corporate Officers and Rank and File Employees is connected, and without any expectation of pecuniary gain or benefit.
- Acceptance and retention of certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy.
- Acceptance of seminar bags and contents, and partaking of moderately priced meals and beverages that officers and employees obtain at events, such as conferences and seminars, and which are offered equally to all members of the public attending the event.
- Acceptance of books, pamphlets, publications, and date and other information or reading materials that are directly useful to MSI in the performance of its mandates, objectives and which books and other materials are given by individuals or organization that have no pending business with MSI as to create an actual or potential conflict of interest.
- Acceptance of MSI Officers and employees of a scholarship or fellowship grant, travel grants or expense for travel taking place within or outside of the Philippines (such as allowances, transportation, food and lodging) or more than nominal value, if such acceptance is appropriate and consistent with the interests of the Government and permitted by the Chairman of MSI.

- Acceptance or availment by MSI of grants from local or foreign institutions in the pursuit of the mandates, projects and activities, such as those coming from ADB, WorldBank, USAID, etc., provided that the availment thereof shall be strictly in compliance with the applicable procurement laws, rules and regulations.

#### **IV. REQUIREMENT TO INFORM**

All MSI Board of Directors, Officers and employees are required to professionally inform any individual, organization or institution with any actual or potential business dealings with the corporation of this “No Gift Policy”, the reason for its adoption and request for all parties concerned to respect the policy. Likewise, formal notices concerning the policy to inform walk-in clients and visitors shall be posted in the conspicuous areas within the premises of MSI offices<sup>0</sup> .

#### **V. RETURN AND ACKNOWLEDGEMENT OF GIFT**

- If MSI, any of its its members of the Board of Directors, Corporate Officers and Rank and File Employees, received a gift covered by this policy:
  - a. If feasible, the gift shall immediately and politely be declined.
  - b. If not feasible, or it is inappropriate or impractical, to return the gift, e.g. a perishable item, the gift shall be donated to an appropriate charitable or social welfare institution.
  - c. An acknowledgment letter shall be sent to the donor informing them of the “NO GIFT POLICY” and inform the giver of the intended disposition.
  - d. Queries relating to the implementation of these guidelines shall be directed to the Finance and Administrative Unit.

#### **VI. EFFECTIVITY DATE – Immediately**

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<sup>0</sup> Adopted from Section 7, GCG Memorandum Circular No. 2012-12