



NO GIFT POLICY

I. RATIONALE

In consonance with the Civil Service Commission's (CSC) policy and Republic Act No. 6713 - Code of Conduct and Ethical Standards for Public Officials and Employees and in compliance with Section 29 of the Code of Corporate Governance for GOCCs (GCG Memorandum Circular No. 2012-07, s. 2012) which mandates that: "xxx 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", as well as NEA's effort to sustain its corporate values on honesty, efficiency and solidarity, anchored on accountability, transparency and good governance, the following guidelines on the No Gift Policy in the Corporation is hereby reiterated:

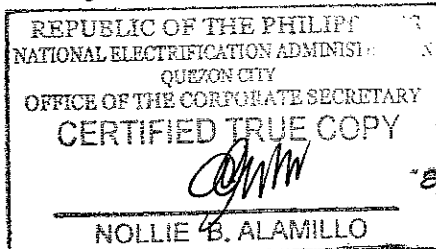
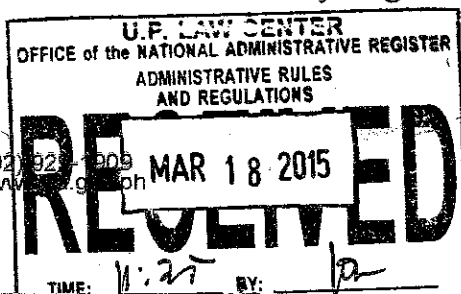
II. LEGAL FRAMEWORK

This No Gift Policy is issued pursuant to the following:

1. Section 27, Article II of the 1987 Constitution states that "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption."
2. Section 1, Article XI of the 1987 Constitution states that "Public office is a public trust and all public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and lead modest lives."
3. Section 1 of the Anti-Graft and Corrupt Practices Act, Republic Act No. 3019 which provides that: "It is the policy of the Philippine Government, in line with the principle that a public office is a public trust, to repress certain acts of public officers and private persons alike which constitute graft or corrupt practices or which may lead thereto."
4. Section 7 of the Code of Ethical Standards for Public Officials and Employees, Republic Act No. 6713, provides that "It is the policy of the State to promote a high standard of ethics in public service."
5. Section 29, Code of Corporate Governance for Government Owned and Controlled Corporations which states 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."

III. POLICY STATEMENT/GENERAL GUIDELINES

No official or employee shall solicit or accept, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his/her official duties or in



connection with any operation being regulated by, or any transaction that may affect the functions of his/her office.

IV. OBJECTIVES

This policy is issued in order to:

- (1) Enable the officials and employees to practice and demonstrate equal treatment, unbiased professionalism, and non-discriminatory actions in the performance of their duties and functions, without expectation of any undue favor or reward;
- (2) Promote and reinforce integrity of the officers and employees in the diligent performance of their duties as public servants;
- (3) Ensure the provision of consistent high quality service and non-preferential treatment to all members and employees, primary clients and stakeholders;
- (4) Sustain transparency in transactions, as defined in its Code of Ethics; and
- (5) Clearly define the guidelines on receiving of gifts in the workplace.

V. COVERAGE

This policy shall apply to the Board of Administrators, Management, regular and project-based employees.

VI. DEFINITION OF TERMS

1. *Gift* – refers to a thing or a right disposed of gratuitously, or any act of liberality, in favor of another who accepts it. It shall include, but not limited to, any gratuity, favor, service, discount or price concession, fee, compensation, cash, securities, entertainment, or use of anything of monetary value. It does not include an unsolicited gift of nominal or insignificant value given freely without any form of anticipation of, or exchange for, a favor from a public official or employee.
2. *Gift Registry* – a record of gifts received by NEA officials and employees.

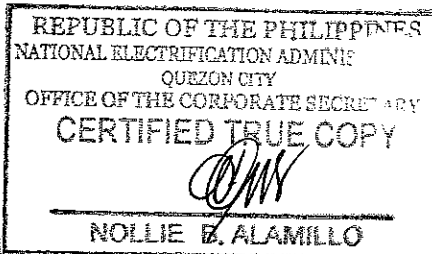
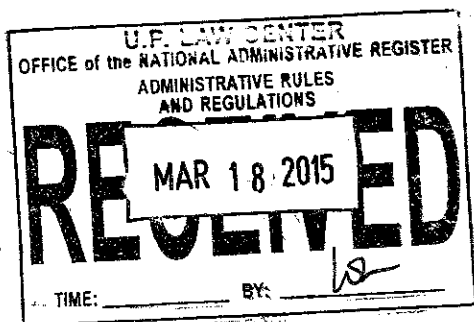
VII. RESPONSIBILITY

It shall be the responsibility of the Board of Administrators, Management and employees to read, understand and abide by the standards and procedures on the No Gift Policy.

The Management shall ensure that all officials and employees follow the policies and procedures on No Gift Policy.

VIII. PROHIBITIONS

All NEA officials and employees within the coverage of this policy shall not solicit, accept or use, directly or indirectly any gifts such as gratuity, favor, loan, hospitality and/or entertainment, or anything of monetary value from a person, groups, associations



or juridical entities, whether from the public or the private sectors, at any time, on or off the 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.


The prohibition shall include, but not limited to:

1. Honoraria, regardless of amount given as speaker or resource person in seminars or where the Corporation's officer or employee is participating by reason of his/her office with the Corporation;
2. Sponsorship in any form of any of the internal programs, activities, and affairs of the Corporation, such as Christmas parties, anniversary, commemorations, and other similar events;
3. Advertisements in the publications of the Corporation;
4. Discounts, rebates, waivers and other forms of monetary incentives or benefits given to the members of the Board of Directors, officers and employees of the Corporation, in availing of the services and/or facilities of persons or entities under the jurisdiction of the Corporation not generally available and offered equally to the public;
5. Gifts which would be illegal or in violation of law;
6. Gift which is part of an attempt or agreement to do anything in return;
7. Gift which is being made to influence the member of the Board's, or officer's actions as such; and
8. Gift which could create the appearance of a conflict of interest.

IX. EXEMPTIONS

Exempted from this Prohibition are the following:

1. Gifts that may be given among members of Inter-Agencies or Offices to which the Corporation belongs, in the customary and normal course of business, as may be determined and approved by the Corporation;
2. Gifts or tokens offered or given as symbol of kinship or partnership during gatherings or conferences to which the Corporation is a participant, host or sponsor;
3. Gifts which are given as a token of gratitude or friendship according to local customs and traditions;
4. The acceptance and retention of certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy;
5. The acceptance of seminar bags and contents, and partaking of moderately priced meals and beverages that Board of Administrators, officials and employees obtain at

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XI. PROCEDURES

1. If any of the members of the Board of Administrators, Management and employees, receive a gift prohibited under this policy, such gift shall be immediately and politely be declined.
2. In case it is impractical to return the gift, it shall be forwarded within twenty four (24) hours to the General Services Division (GSD) which shall take charge in donating the item to charitable institutions.
3. The GSD shall maintain a record of gifts donated to charitable institutions.

XII. AMENDMENT

This Policy shall be subject to periodic review and may be amended by the Board of Administrators as often as it may deem necessary.

XIII. PENALTIES

Any violation of this policy must be reported to the Human Resources and Administration Department (HRAD) for endorsement to the Legal Services Office (LSO).

Violation by any of the members of the Board of Administrators shall be dealt with in accordance with GCG rules and regulations and other applicable laws. Violation by management and employees shall be subject to administrative sanctions under Civil Service Law and Rules, and other applicable laws, rules and regulations.

XIV. EFFECTIVITY

This Policy shall become effective upon approval of the NEA Board of Administrators, subject to regulatory approval.

XV. REPEALING CLAUSE

All existing guidelines, orders, policies and other issuances, which are inconsistent with any provision of this Policy, shall be deemed superseded.

- Approved by the NEA Board of Administrators for submission to the Governance Commission for Government Owned or Controlled Corporations (GCG) on November 6, 2013 under Resolution No. 134 and published in the NEA website.
- Revised on October 28, 2014 under Resolution No. 202 for submission to GCG.
- Accepted by the GCG on December 3, 2014.

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