



ADVISORY

TO : NEA Officers and Employees
Electric Cooperatives
Suppliers, Stakeholders/Interested Parties

DATE : 29 November 2016

SUBJECT : **Reiteration of the "NEA No Gift Policy"**

This ADVISORY is issued to reiterate the provisions of the NEA No Gift Policy and clarify certain items for efficient and strict implementation.

BACKGROUND

The Revised NEA Gift Policy was duly approved by the NEA Board of Administrators in its regular meeting of 28 October 2014 which was found to have fully complied with the Good Governance Conditions on No Gift Policies under GCG Memorandum Circular No. 2013-05 and 2013-06. The NEA has adopted its revised NEA Gift Policy in consonance with the CSC Policy and RA No. 6713, as well as "NEA's effort to sustain its corporate values on honesty, efficiency and solidarity, anchored on accountability, transparency and good governance;" one of the objectives of which is to "Clearly define the guidelines on receiving of gifts in the workplace."

NEA's Policy Statement/General Guidelines so provides that "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 an operation being regulated by, or any transaction that may affect the functions of his/her office."

In the NEA No Gift Policy, Article VIII of the said Policy provides for the **Prohibitions** while Article IX admits of the **Exemptions**. There are certain provisions that may provide room for various subjective interpretations, particularly the following:

"IX. Exemptions

3. *Gifts which are given as a token of gratitude or friendship according to local customs and traditions;*

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10. *Unsolicited gifts of nominal or insignificant value provided it is not given in anticipation of or in exchange for a favor from the public officials or employees;"*

These exemptions, however, should not be used as an excuse to defeat the very purpose of the “No Gift Policy”. An advisory for the clarification in this regard becomes appropriate with the end in view of giving flesh to the clear mandate to observe the highest standards of conduct and ethical standards for public officials and employees, particularly for the National Electrification Administration, and in line with the declaration of no less than our President, Rodrigo R. Duterte, against graft and corrupt practices and to ensure the observance of austerity measures.

CLARIFICATION

The NEA shall comply with anti-corruption laws such as, but not limited to, Republic Act No. 3019, Republic Act No. 6713, the Civil Service Law, the Revised Administrative Code of 1987 and pertinent provisions of the Revised Penal Code.

No official or employee of NEA shall solicit, request, accept, receive, participate, tolerate or encourage in any way the provision of any gift, gratuity, favor, loan or anything of monetary value from the Electric Cooperatives under its supervision; and, the suppliers and stakeholders, which in the course of official duties or in connection thereto may influence a decision, resolution or approval of a business/corporate transaction and operation, or under circumstances from which the act could reasonably be inferred that a major purpose of the donor is to influence in the performance of official duties, give rise to a conflict of interest, or tarnish the integrity and high standard of ethics exacted in the performance of public service.

Electric Cooperatives, Suppliers and stakeholders of similar nature are likewise enjoined to respect and adhere to the said policy. Any gift offered to NEA officials or employees shall be politely declined. In the event that the return of the gift becomes impractical, especially in the case of perishable goods, the same shall be forwarded through the General Services Division (GSD) which shall maintain a record of such gifts and facilitate the items shall be donated to charitable institutions, as soon as possible.


Corporate gifts given by partner agencies and institutions may likewise be forwarded to the GSD which shall facilitate the equitable disposal of said gifts.

Gift items and Donations which have become customarily given or donated for a specific purpose which have become the practice over the years shall also be forwarded through the GSD and/or dispatched to appropriate groups or sponsors (e.g. Donation of sacks of rice or packs of goods intended for distribution to victims of calamities, community outreaches, and the like).

All organizations and entities with any actual or potential business with the NEA shall, as much as practicable, be informed, provided a copy or referred to the NEA website to access information and copy of its published *No Gift Policy*, among others.

All other issuances inconsistent herewith are hereby recalled or modified accordingly.

For strict compliance.


EDGARDO R. MASONGSONG
Administrator

NATIONAL ELECTRIFICATION ADMINISTRATION
Office of the Administrator



NEA-OA234882

Handwritten initials and date
12/12/16