

OFFICE ORDER NO. 016
Series of 2014

To : **ALL OFFICERS AND EMPLOYEES**

Subject : **ADOPTION OF THE REVISED "NO GIFT POLICY"**


Date : **03 December 2014**

As embodied in Section 2.8 of the BCDA Code of Corporate Governance, the BCDA has adopted and committed to comply with the "No Gift Policy," the revised version of which has been approved by the BCDA Board of Directors in its Resolution No. 2014-08-134 dated 13 August 2014.

All BCDA officers and employees are hereby directed to strictly observe and comply with the provisions of the "No Gift Policy," a copy of which is attached hereto as "Annex A" and made an integral part hereof.

FOR YOUR STRICT COMPLIANCE.


ARNEL PACIANO D. CASANOVA, Esq.
President and CEO

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1.0 COVERAGE

This policy shall apply to all officers and employees of BCDA.

2.0 RULES

2.1 POLICY

BCDA shall adhere to the highest form of ethical standards. The BCDA officers and employees shall demonstrate fairness, professionalism and deliver quality services without expectations of any undue favor or reward.

2.1.1 BCDA adopts a “No Gift Policy”. All officers and employees shall NOT solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or use, or anything of monetary value (“gift”) from a person, group, association, or juridical entity, 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 the functions of their office, where such gift:

2.1.1.1 Would be illegal or in violation of law;

2.1.1.2 Is part of an attempt or agreement to do or refrain from doing anything in return;

2.1.1.3 Has a value beyond what is normal and customary in the business of BCDA;


2.1.1.4 Is being made to influence the officers and employees’ actions as such; or

2.1.1.5 Could create the appearance of a conflict of interest.

2.2 EXCEPTIONS - The following shall be exempted from the prohibition under this policy:

2.2.1 Certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy, recognition, or appreciation;


2.2.2 Books, pamphlets, publications, data and other information or reading materials that are directly useful to BCDA in the performance of its

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mandates, objectives, and are given by individuals or organizations that have no pending business with the BCDA as to create an actual or potential conflict of interest;

- 2.2.3 Gifts given on special occasions between and among BCDA officers and employees, including the subsidiaries, that are unsolicited and of small or insignificant value offered or given as a mere ordinary token of gratitude or friendship according to local customs and usage.
- 2.2.4 Product samples of nominal value given by clients or potential clients if giving such samples are allowed under the law or part of the standard procedures mandated by law or the rules (e.g. rules on bidding);
- 2.2.5 Promotional materials of nominal value such as calendars, umbrellas, planners;
- 2.2.6 Working meals with clients or other stakeholders of the BCDA if such meals are inevitable in the course of official transaction provided that such meals are of modest value not beyond what is normal or customary in the business of BCDA;
- 2.2.7 Seminar items (e.g. pens, hand-outs, etc.) or any other materials which are uniformly given to all participants in the seminar;
- 2.2.8 Scholarships or fellowship grants, travel grants or expenses for travel taking place within or outside of the Philippines (such as allowances, transportation, food and lodging) if appropriate and consistent with the interest of the government, and with prior approval by the Chairman of BCDA Board of Directors and/or the BCDA President and Chief Executive Officer, in accordance with the BCDA Manual of Approval; and
- 2.2.9 Honoraria or tokens given to BCDA officers and employees who are authorized by the BCDA President and Chief Executive Officer to act as lecturers, resource persons, coordinators and facilitators in other government agencies or private organizations, as well as receive such honoraria or tokens for serving as such except when such engagement is made by reason of the official capacity in BCDA of the concerned officer or employee;

2.3 REQUIREMENT TO INFORM – BCDA officers and employees are required to professionally inform any individual or organization with any

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actual or potential business with BCDA of this “No Gift Policy.” Notices informing walk-in clients and visitors of this Policy shall be posted in conspicuous areas within BCDA.

2.4 DUTY OF OFFICER OR EMPLOYEE IF GIFT IS OFFERED OR GIVEN – If any gift prohibited under this Policy is offered or given to any officer or employee, the latter shall politely decline acceptance of such gift and courteously inform the offeror or giver about the BCDA’s “No Gift Policy.”

2.5 DUTY OF OFFICER OR EMPLOYEE IF GIFT IS INEVITABLY RECEIVED – In the event that, despite diligent efforts to refuse acceptance, any gift is inevitably received because it was sent through modes other than personal delivery or the offeror insisted acceptance, the recipient of the gift shall, within twenty-four (24) hours from receipt, report the acceptance thereof and turn over the gift to the Central Receipt and Receiving Area (CRRA) for proper documentation and handling of the gift in accordance with the provisions of this Policy.


BCDA shall acknowledge courteously the gifts received and thank the giver but at the same time the giver must be informed about the “No Gift Policy” of BCDA.

2.6 DONATION OF GIFTS TO CHARITABLE INSTITUTIONS – In the event that a gift is received and declining it is not feasible, or it is inappropriate or impractical to return, such as in the case of perishable items, it shall be donated to identified charitable or social welfare institutions. An acknowledgment letter shall be sent to the giver of the gift informing the latter about the donation to the said institution/s.

2.7 GIFT REGISTRY – Except for Section II (B), Nos. 1, 2, 3 and 7, any gift received, regardless of value or kind, shall be registered in a Gift Registry to be maintained by the CRRA. The following information about the gift shall be recorded in the said registry:

- 2.7.1 Nature, form, or kind
- 2.7.2 Date and time of receipt
- 2.7.3 Name, office address, and contact number of the giver
- 2.7.4 Name and position of the officer or employee who received the gift
- 2.7.5 Such other information as may be deemed necessary.

2.8 ADOPTION OF “NO GIFT POLICY” IN ALL CONTRACTS OF BCDA
– A provision adopting this Policy shall be incorporated in all contracts

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entered into by the BCDA with its consultants, contractors, suppliers, service providers, vendors or other such persons and institutions who have business, contractual or other similar dealings or transactions with the BCDA.

2.9 POLICY IMPLEMENTATION AND MONITORING – BCDA shall ensure full advertisement, monitoring, and strict implementation of this Policy.

3.0 PENALTIES FOR VIOLATION

Violation by an officer or employee of the provisions of this Policy shall be dealt with in accordance with the Revised Rules on Administrative Cases in the Civil Service, without prejudice to any administrative, civil or criminal liability that may arise therefrom under other special laws.

4.0 PROVISION FOR AMENDMENT

The BCDA No Gift Policy may be amended as necessary in accordance with the Document Control Procedure of the BCDA Quality Management System.

Uncontrolled when printed or emailed