



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
PHILIPPINE FISHERIES DEVELOPMENT AUTHORITY
PCA Annex Building, Elliptical Road Diliman, Quezon City
Telefax. No. 925-61-41



19 February 2014

MEMORANDUM

FOR : HON. PROCESO J. ALCALA
Chairman, PFDA Board of Directors

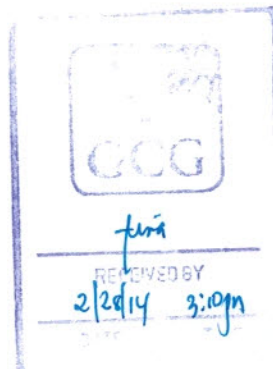
FROM : GENERAL MANAGER

SUBJECT : REQUEST FOR APPROVAL re: ADOPTION OF "NO GIFT POLICY"

In compliance with GCG Memorandum Circular No. 2012-12, series of 2012, we have prepared pro forma document on the "No Gift Policy" (please refer to the attached document)

May we request, therefore, for your approval to carry out the said policy.


EDUARDO M. CHU
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February 14, 2014

OFFICE ORDER NO. 02
Series of 2014

SUBJECT: ADOPTION OF THE "NO GIFT POLICY" IN PHILIPPINE FISHERIES DEVELOPMENT AUTHORITY (PFDA)

1. RATIONALE

The Philippine Fisheries Development Authority (PFDA) is committed to implement the highest standards of ethics and conduct as public officers particularly in dealing with all its stakeholders. Premised on this, therefore, all PFDA officers and employees shall observe and comply with GCG Memorandum Circular No. 2012-12, Series of 2012, on "No Gift Policy".

2. DEFINITION OF TERMS

The following term/phrase shall be defined as follows:

- 2.1 "Gift"** - a thing or a right disposed of gratuitously, or any act or 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.
- 2.2 "Receiving any gift"** - includes the act of accepting directly or indirectly, a gift from a person other than a member of his family or relative as defined in this Act, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift is given in anticipation of, or in exchange for, a favor.

3. IMPLEMENTING POLICIES, RULES AND GUIDELINES

3.1 GENERAL POLICY

The PFDA shall adopt a "NO GIFT POLICY". Therefore, all PFDA officers and 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 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.

3.2 PROHIBITED GIFTS

The prohibition covered in the previous section shall include, but not be limited:

- a) Honoraria given as speaker or resource person in seminars or where the PFDA officer or employee is participating by reason for his/her office with the PFDA.
- b) Sponsorship in any form of any of the internal programs, activities and affairs of the PFDA, such as Christmas parties, anniversary commemorations, etc.
- c) Advertisements in the publications of PFDA.
- d) Discounts, rebates, waivers and other forms of monetary incentives or benefits given to PFDA, its officers, employees, in availing of the services and/or facilities of persons or entities under the jurisdiction of the PFDA.
- e) Acceptance of invitations to social lunches and dinners with persons or entities under the jurisdiction of the PFDA.

3.3 EXCEPTIONS

The following are exempted from this "No Gift Policy":

- a) The acceptance and retention of certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy.
- b) The acceptance of seminar bags and contents, and partaking of moderately priced meals and beverages that officers and employees obtained at events, such as conferences and seminars, and which are offered equally to all members of the public attending the event.
- c) Acceptance of books, pamphlets, publications, and data and other information or reading materials that are directly useful to the PFDA in the performance of its mandates, objectives and which books and other materials are given by individuals or organizations that no pending business with the PFDA as to create an actual or potential conflict or interest.
- d) The acceptance by PFDA 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 Board Chairman of PFDA.
- e) The acceptance or availment by the PFDA of grants from local or foreign institutions in the pursuit of the mandates, projects and activities, such as those coming from ADB, World Bank, USAID, etc., provided that the availment thereof shall be strictly in compliance with the applicable procurement laws, rules and regulations.

3.4 RETURN AND ACKNOWLEDGEMENT OF GIFT

If PFDA, any of its officers or employees, receives a gift covered by this policy, such gift, if feasible, shall immediately and politely be declined. In the event that it is 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. An acknowledgement letter shall be sent to the donor informing him/her of the "NO GIFT POLICY" or that the gift had been returned or donated to an appropriate charitable or social welfare institution.

3.5 GIFT REGISTER


- a) A gift register shall be maintained in all Central Office and Operating Units to further ensure transparency in the way PFDA officials and employees deal with the stakeholders.
- b) A PFDA 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.
- c) The Gift Register shall contain the following information:
 - Date of delivery or receipt of gift, grant of favor or benefits;
 - Description of the gift, favor or benefit received;
 - Estimated value of gift;
 - Name of recipient
 - Name, position, or office of giver of gift; and
 - Action taken on the gift, e.g. consumed, donated, returned or endorsed to.

3.6 VIOLATIONS AND PENALTIES

Any violation of this policy shall be referred to the Legal Division 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.

4. FINAL PROVISIONS

- 4.1 The "NO GIFT POLICY" shall be posted in all conspicuous places at the Central Office and the regional fish ports.
- 4.2 This Order shall take effect immediately and shall remain in force unless revoked in writing by the undersigned.


EDUARDO M. CHU
General Manager