RULES ON GIFTS AND BENEFITS

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Pursuant to the provisions of RA No. 6713 otherwise known as Code of Conduct and Ethical Standards for Government Officials and Employees, in relation with Sections 4 and 10 of Article II of the LTO Code of Conduct and in line with the on-going Integrity Development Program, the following rules on gifts and benefits shall govern for all officials and employees of the LTO.

Rule I. Scope

These Rules shall apply to all officials and employees of the Land Transportation Office, in addition to other prohibitions on soliciting and receiving gifts and benefits imposed by law.

Rule II. Policies and Rules

SECTION 1. As used herein, the term:

A. Gift – refers to a thing disposed of gratuitously in favor of another, and shall include a simulated sale or a disposition which is onerous to the giver and/or unduly beneficial to the recipient.

B. Benefit – refers to a right, privilege, entertainment, exemption or any other similar act of liberality in favor of another.

C. Agent – a person who acts in representation of another.

D. Nominal value – refers to the value of a gift, which is not more than One Thousand Pesos (Php 1,000.00).

SECTION 2. LTO officials and employees shall not accept or receive gifts and/or benefits, directly or indirectly, from any of the following:

a. Motor vehicle owners and their agents;
b. Applicants for driver’s license, student permit and conductor’s license and their agents;
c. Apprehended drivers, operators and their agents;
d. Owners of Drug Testing Centers, Private Emission Testing Centers and Insurance Companies and their agents;
e. Manufacturers, Assemblers, Importers, Dealers and their agents;
f. Suppliers and contractors, and their agents;
g. Personnel for promotion and those with pending cases and their agents;
and
h. Parties transacting business with the Office.

SECTION 3. LTO officials and employees may accept gifts and/or benefits from their spouses, children, parents, brothers, sisters, and in-laws and other relatives within the 4th civil degree provided the latter do not fall under the classification in Section 2. Gifts and/or benefits valued at more than One Thousand Pesos (Php 1,000.00) received during special occasion such as birthdays, anniversaries or the like shall be recorded in a Registry Book and kept in the custody of the designated personnel of each LTO office, Service Division, Section or Unit.

SECTION 4. Officials and employees may give to and/or receive from their fellow officials and employees token

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gifts of nominal value, appropriate to the occasion for which it is meant. A gift shall be considered nominal if it has a value of not more than One Thousand Pesos (Php 1,000.00). Officials and employees, may give to and/ or receive from their fellow officials and employees, emergency contribution/assistance of reasonable value or amount in cases of death, illness and other similar situations. Assistance extended which is more than One Thousand Pesos (Php 1,000.00) shall be recorded in the Registry Book.

SECTION 5. Officials and employees may receive plaques, awards, certificates, souvenirs or other tokens of appreciation or gratitude and/or benefits as appropriate to the occasion/ceremonies in which it is made, provided that such plaques, awards or certificates, and/or benefits can not reasonably be perceived as on account of or intended to influence the officials/employees in the performance of their official functions.

SECTION 6. The following shall be recorded in the Registry Book regardless of the amount or value:

a. Gifts and/or benefits received by the Office as an institution from other offices or organizations, including grants and donations;
b. Gifts or cash awards given by the Office to its officials and employees during Anniversary and Christmas celebrations;
c. Gifts exchanged on occasions of Christmas celebrations among members of inter-agency committees and other organizations to which the LTO belongs; and
d. Performance-based cash rewards, scholarship grants, and similar benefits granted to LTO officials and employees by appropriate government agencies, private institutions, and national or international organizations.

SECTION 7. It shall be the duty of the respective regional/assistant directors, service/division chiefs and chiefs/OICs of district/extension offices and licensing centers to submit quarterly reports every 10th day of the following quarter to the Office of the Assistant Secretary.

Rule III. Penalties

Any violation of these rules shall be a ground for disciplinary action, without prejudice to the filing of appropriate criminal charges, if warranted, against the erring official and/or employee.

Rule IV. Effectivty

This Memorandum Circular shall take effect within fifteen (15) days after its publication in the Official Gazette, and upon the filing with the University of the Philippine Law Center of three (3) certified copies thereof.

Adopted: 23 Feb. 2006

(SGD.) ANNELI R. LONTOC
Assistant Secretary

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